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A Vindication of the
Character and public ser-
vices of Andrew Jackson.





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A

VINDICATION

OF THE

CHARACTER AND PUBLIC SERVICES

OF

ANDREW JACKSON ;

IN REPLY TO THE

RICHMOND ADDRESS, SIGNED BY CHAPMAN JOHNSON.

AND TO OTHER ELECTIONEERING CALUMNIES.

ORIGINALLY PUBLISHED IN THE NASHVILLE REPUBLICAN,

AND ATTRIBUTED TO

MAJOR HENRY LEE,

OF VIRGINIA.

BOSTON :

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TO THE PEOPLE.

The following is a most ably written and conclusive argument. It has not had, in that respect, its superior during the present canvass.

We solicit for it the candid perusal of all men, who are willing to know the truth, and knowing it, to vindicate it against error or designed misrepresentation.

No man has rendered more important services to his country, than Andrew Jackson. They have shed upon that country and upon his own name, imperishable glory. For these services, his country is grateful; and for them and his merits, for his republican character and attachments, and for his determination to bring into the councils of the nation the old Democracy instead of the Federalism and Aristocracy which now govern us, his country will place the highest of her gifts within his hands. But these great services and deeds of devotion to the general welfare, and the perilous defence of his native soil, are the sources of envy in the minds of malignant partizans and bad-hearted men. They hate what they cannot imitate; and in nearly all cases they condemn now what they condemned during a war which they opposed, and the defenders and supporters of which they then vilified. Such men have filled the country with gross misrepresentations of the character and conduct of Gen Jackson. Every act of his life is gainsayed or perverted. No man, elevated and noble as has been his devotedness under great emergencies and in the most trying times, has been so much traduced. No man has been more foully slandered. The inmost recesses of his family, the honor of his wife, his domestic peace,—all have been invaded, to serve the purposes and prop up the hopes of a falling party—to sustain an administration, which coming into power *without the consent of the people*, seeks by such means to deceive that people into its support. Like TOMPKINS, he has been hunted down by his enemies and the enemies of his country. Not content with these assaults and calumnies upon the private character and domestic life of a venerable citizen, they attempt even to scandalize *the country*, and in the very language and manner of the pensioned writers of the British press, depreciate the honors and underrate the victories of the nation. These calumnies have called out the following vindication. It is worthy of the

author, of the subject, and of the country. Let every lover of his country read it.—*Albany Argus*.

[FROM THE NASHVILLE REPUBLICAN.]

To the Editors of the Richmond Enquirer.

GENTLEMEN :—The address of the Adams men in Richmond, published in your paper of the 26th November, is not more remarkable for the respectable names attached to it, than for its prodigious errors, both of fact and inference. Such a conflict between persuasive authority and repulsive misrepresentations, is rarely seen, and is difficult to account for, unless we suppose the address was fabricated by the editor of the Whig, and signed under the influence of some unhappy hallucination. Mr. Chapman Johnson appears to have given in his adhesion with scruples and reservations, inconsistent with that act of fraternity, and incompatible with the sentiments of the party he joins. But his standing as a local politician being high, and his name not unknown as an attorney, the signers, devoted to their cause, and careless of their principles, receive him with open arms. *They* have perfect confidence in the probity and honor of Messrs. Adams and Clay—he has none. *They* apprehend no attack on public liberty, or immediate danger to our institutions, from the election of General Jackson—he is solemnly convinced (poor man !) that “General Jackson is altogether unfit and eminently dangerous.” *They* consider the opposition factions and unprincipled—he does not. These discordances are hard to reconcile—unless we reflect on the improbability of finding any varieties, of opinion sufficient to place the brother-in-law of the Attorney-General, the Attorney of the United States, and the would-be-successor of Chief Justice Marshall, in fair opposition to the Court. One of the first positions taken in the address, is, that the election of General Jackson is to be deprecated, “as ominous of the decay of that spirit by which alone our institutions can be upheld and perpetuated ;” and I perceive, at a trashy meeting of Mr. Southard’s King George’s, this spurious sentiment is adopted, and traced to a jealousy of military fame, discoverable in the constitution of the United States—an instrument which was framed under the eye and auspices of General Washington, and was by him recommended to the American people, who made him their first President, when his sword was scarce cold in his scabbard, and when the sounds of war were just hushed in the land ! It is neither more nor less than another repetition of Mr. Clay’s charge of Military Chieftainship—an avowal that General Jackson’s services in repelling the invaders of his country, constitute a just ground for his exclusion from civil office. The Legislature of this state, who know the General at least as well as the readers of the Whig, did not think so, when they made him Senator of the United States ; nor did Mr. Vanroe, when he appointed him Minister to Mexico. The laws of society require of every man the exertion of his abilities and the hazard of his life, in defence of the community of which he is a member. The laws of this country place arms in the hands of the citizen, and devote his life to this most sacred duty. If he shrinks from the glorious task, he is consigned to ignominy : if he performs it with superior skill and courage, he forfeits for ever, in the opinion of the Richmond meeting, public confidence and civil honors. In their political ethics, the best and the worst conduct are equally culpable ; and the only military services which entitle a citizen to political promotion, are such as some of themselves performed—viz. wearing uniform, taking pay, and doing nothing. So, because Governor Barbour tied himself to a broad-sword, and rode behind pistols two or three times to Norfolk, and two or three times back, sounding louder

than an *empty barrel* all the while, he was made Senator of the United States, in postponement of Mr. Wirt, a man of acknowledged ability. It is very true, that neither Mr. Adams nor Mr. Clay is obnoxious to this ostracism of the Richmond meeting. While General Jackson was braving the ambushed shaft of the Indian, and foiling the discipline shock of British columns; was performing toilsome marches; was enduring thirst and hunger, relieved only by the fruit of the oak and the wave of the torrent; was periling his life and pledging his fortune, to save the lives and fortunes of his countrymen, these diplomatic gentlemen "were brewing mysteries of ruin" against each other, in sumptuous chambers at Ghent—were preparing that hostile rivalry, which, in due dramatic succession, rose into the production of separate interests, and sunk into the soft catastrophe of the coalition. Mr. Adams carefully duplicating his charges against our "weak and penurious government," and Mr. Clay gratifying his love of pleasure by excursions to Paris! Such are the services, and such the ambition, which, according to Messrs. Call, Cabell, and Stanard, it is the interest of the American people to cherish and reward, in preference to the noble patriotism and incorruptible virtue of the laurelled farmer of Tennessee! Absurdity and injustice like this, gentlemen, can never find favour in the renowned commonwealth which gave birth to Washington, and was the theatre of his greatest military exploit.

The state of public intelligence is so high in Virginia, that politicians who attempt to effect a delusion, prefer hazarding a downright misstatement to a train of sophistical reasoning—counting more on want of suspicion, than want of judgment in the people. With this view, and with a claim to this desperate excuse, the Richmond meeting charge General Jackson with "an unreasonable desire to fill the office of President." I should like to know what circumstances in the conduct of General Jackson, indicate even colourably, the "unreasonable desire" here spoken of. How are the Richmond meeting to palliate such defamation? Will they refer to his letter to Carter Beverly, which was expressly intended to prevent misrepresentations, and was published under circumstances of indelicacy by Mr. Clay himself; or will they rely on his colloquial answer to the intrusive question of that person, which having been shown to be true, by the testimony of Messrs. Trimble, Buchanan, Isaacs and Eaton, is certainly blameless. Was General Jackson bound in violation of his principles, and his nature to conceal by evasion or falsehood, any facts connected with the last election, out of tenderness to the reputation of Messrs. Adams and Clay, who had been for months paying the public money to Binns, Hammond and Gales, for slandering himself and his wife? Or was he to commit the incivility of refusing an answer to Mr. Owen's letter of inquiry upon points of his public conduct, against an official misrepresentation of which, from the war-office, that gentleman was contending at the risk of his political fortune? Would it have been criminal or censurable in Mr. Jefferson, to reply to a letter asking for information respecting any topic of his history, when his claims were opposed to the elder Adams, and his person and his fame vilified by the younger? No man, enjoying in so large a degree, as General Jackson, the admiration and gratitude of the public, ever endeavoured so studiously to elude its gaze. Buried in our western woods he remains, and though unrestrained by the dignity or duty of office, resists the importunity of his eminent friends in all quarters of the Union, and even his own liberal curiosity; and has forborne for many years, the usual recreation of tours for health or pleasure. While Mr. Adams and Mr. Clay, in the enjoyment of salaries, and under the responsibility of office, can find time for frequent and distant excursions—to a festival in this state—a parade in that—an election in Kentucky—a review in Massachusetts—

and an *ebony* and *topaz* entertainment in Baltimore. The discernment of the Richmond meeting is so keen, that they can discover egregious ambition and a lust for office, in the noiseless retirement and rural pursuits of General Jackson ; while in the shameless and unexampled electioneering of the cabinet, they see nothing but Political chastity, and conscious rectitude. Is this the exercise of "that benevolence and Christian charity" which they plead in favour of the coalition ? Is it not rather an eruption of that abominable spirit, which, to use their own words, "ascribes an action to the worst and most dishonourable motive that could produce it ?" However delightful it may be to them, to offer this sacrifice of truth and justice to the gods of their idolatry, they are too wise not to calculate on provoking by it, general ridicule, if not public contempt. On this subject, they have another assertion which has about as much reality for its foundation, as Banquo's ghost, or Redheffer's perpetual motion. They declare that they have "seen with inevitable regret, General Jackson descend from his high dignity, to mingle in person in the contest waged for his own election." The *sincerity* of their regret may be best estimated, by reflecting on the torture to which their invention must have been subjected, for the incident from which it flows—the pain of which operation, might have been spared them, had the delicacy of General Jackson not been illustrated by contrast, with the meddlesome effrontery and corrupting circulation of the executive officers: had he met Mr. Adams at Baltimore, Mr. Clay in Pittsburgh, Mr. Southard in Virginia, Mr. Barbour at Annapolis—or had it not required the invitation of a sovereign state to draw him from his home, to participate in the celebration of a great event in his own and his country's story.

But the temper of the Richmond meeting, their attention to the progress of events, the phases of character, and all the circumstances belonging to the problem involved in the comparison of General Jackson with Mr. Adams, and in the designation of the latter for President, is best explained by their own declaration—viz : that they "now think of General Jackson as they always did."

It is very well known that about the time Algernon Sidney drew his impatient pen *et in celeres iambos misit furem* against the Hero of New-Orleans, the latter was regarded by many persons in Virginia with much such sentiments as during the heat of the revolution prevailed in England towards General Washington. They believed the execution of Arbutnot and Ambrister to be, in the language of Mr. Clay, (who was then attacking Mr. Monroe, through the reputation of General Jackson, for appointing Mr. Adams Secretary of State in preference to himself,) murder.*

That the pursuit of the Seminole Indians to their places of refuge and recruit in Florida, was lawless and unauthorized—and that General Jackson's character was ferocious—his propensities vicious—habits profligate, and conduct outrageous. Whereas, now that the excitement of that season has subsided, and that time has cast its impartial light upon the matter, it is universally known that the execution of Arbutnot and Ambrister was in strict conformity with the laws of nations and usages of war ; was perfectly justifiable upon the principles of a prudent retaliation ; and was a measure of justice far less opposed to mercy than the execution of the unfortunate Andre. That the invasion of Florida was no violation of the neutrality of Spain—it being necessary that neutrality should exist before it can be violated, and it being both notorious and attested, that the sovereignty of that province was, like the embraces of a harlot, "open to all comers" and particularly prostituted to our enemy. That this prudent

* Mr. Clay uttered this outrageous charge in debate, but in the report of his speech suppressed it.

and effective measure corresponded with the orders and policy of the government, and like the execution of Arbuthnot and Ambrister, gave serious offence to no statesmen on earth but our own designing politicians. It is also known that by the quiet force of virtue General Jackson has lived down the calumnies of his private character, and that a jury of his vicinage, unbought and unsolicited—as respectable for numbers, for knowledge, for talents, and for worth, as the Adams men of Richmond, have furnished undeniable evidence of his spotless integrity, amiable virtues, and unblemished honor. And yet Messrs. Cabell, Call, Stanard & Co. “think of General Jackson as they always did!” Examples of intellectual perfection! On a subject so complex, progressive and variable as human character—to fix which the canonizing seal of death is required, and to ascertain which the patient research of the historian is often insufficient, their impeccable opinions are neither to be enlightened by time nor modified by evidence! They listen not to the increasing plaudits of his countrymen, or to the unvarying testimony of his neighbours—they regard not the faithful energy with which he has filled civil offices, nor the easy grandeur with which he resigned them—and they turn their eyes from an act of moderation and magnanimity which has no parallel in the history of Grecian or of Roman greatness. To preserve the freedom of Corinth, Timoleon permitted the assassination of his own brother. In defence of liberty and law, Brutus stabbed his friend in the capitol; and poetry and oratory delight to portray him brandishing his bloody dagger over the body of Cæsar, and congratulating Cicero on the freedom of the state. But this splendid act, though described in the immortal eloquence of Tully, or in the classical numbers of Akenside, must lose its lustre if compared with General Jackson’s rejection of Buchanans’ overture.* The highest object of human ambition was placed within reach of the American patriot. No law of the republic was to be violated, no feeling of the heart to be outraged, no prejudice of mankind to be shocked—but the secret virtue of his inmost soul could not be turned from the path of honor, and he subdued the powerful temptation as he subdued the foes of his country. Still he is charged with an “unreasonable desire to fill the office of President”—is thought of “just as he always was” by the Richmond meeting! It is impossible to conceive that this noble act of General Jackson was unknown to the gentlemen. Nor are they bound to dissent from the general admiration of it, in order to arrive at a perfect faith in the purity of the coalition. The most favourable account that can be given of their endeavour to undervalue or discredit it, is to impute it to a feeling, like that of the Athenian citizen, who voted for the banishment of Aristides because he could not bear to hear him called *the Just*. But men who show no mercy to facts, can do little justice to character.

In approaching the subject of Mr. Adams’ merits, they found their zeal in his favour upon sympathy excited by the strong and general opposition which his election and his measures have provoked—a sentiment for which they justly claim the credit of generosity, it being evident that zeal for the re-election of Mr. Adams, cannot proceed from a noble love of liberty, a prudent regard to the interests of the country, or a proper respect

* “*Cæsar interfecto inquit statim cruentum alte extollens Marcus Brutus pugionem Ciceronem nominatim exclamavit atque ei recuperatam libertatem est gratulatus.*”—2d Philippic.

“Brutus rose,
Refulgent from the stroke of Cæsar’s fate,
Amid the crowd of patriots and his arm
Aloft extending, like eternal Jove
When guilt brings down the thunder, call’d aloud
On Tully’s name, and shook his crimson steel,
And bade the father of his country hail!
For, lo! the tyrant! prostrate in the dust,
And Rome again is free.”

for its institutions. They thus sum up their articles of faith in the divine right of John the 2d; "He is pure and upright in intention—patriotic, however occasionally mistaken—prudent and indefatigable in the discharge of his public duties—blameless and irreproachable in private life." That honest and sagacious traveller Lemuel Gulliver, declared that the shade of Homer was introduced to the shades of his commentators, in his presence; and that the parties appeared to have been totally unacquainted before.

Should the shade of Lemuel ever visit our country, know Mr. Adams, and read this character of him, he would swear he was a stranger to his best friends. They have drawn the character of Madison, and given it to the public for that of Adams.—Was Mr. Adams, pure and upright in bribing Mr. Clay to elect him; in betraying the federal party with falsehoods to Mr. Jefferson, and reclaiming it by promises to Mr. Webster—in charging a double salary and for a constructive journey, while minister, and paying that dishonest charge to himself while Secretary of State? Was he patriotic when writing his letter to Levitt Harris, undervaluing the resources and ridiculing the spirit of his country, when that country was involved in the casualties of a bloody war? Did patriotism inspire his mind when he urged the surrender to England of the free navigation of the Mississippi; or when he negotiated away the Colonial trade; Was he patient and faithful in the discharge of his duties when he forced on the Post Master General the appointment of the present deputy at Nashville, and repulsed with petulance the representations of this state, whilst respectfully deprecating that act of oppression? His private life, in so far as it can be separated from his public conduct, does not reach beyond the years of puberty—for his youth, his manhood, and his age, have been spent in lucrative connexion with the public treasury. But if the Richmond meeting will answer the questions above proposed, with only a "small approach" to acknowledged facts in the conduct of Mr. Adams, they will render perfectly harmless a warmer zeal and a larger minority, than they represent or express. The opposition in this free and enlightened country, stern and general as it is, it comports with the modesty and tolerance of these gentlemen, to denounce, "as a studious misrepresentation of the President's measures," "a perversion of his most careless language"—a wanton attack on his character and that of his cabinet, as premature and unsupported by the real character of the Administration. In such estimation are the motives of Macon, Calhoun, Van Buren, and Tazewell, held by gentlemen, who see in the career of Mr. Clay nothing but patriotism and virtue! It is very true that an opposition to the re-election of Mr. Adams, was manifested in the country, before his Administration was organized, or the course of his policy had pointed towards arbitrary power and cabinet succession. But the Richmond meeting do not require to be told, that this opposition was the natural effect of his unfair election, and was therefore necessarily anterior to the organization of his government, and independent of the character of his measures. An equitable, enlightened and prudent administration, might indeed have allayed this original opposition; but the prudence of Mr. Adams' measures has not exceeded the purity of his election, and his friends, who are continually boasting of his skill and experience, have the mortification to find the policy of his government as fruitful a source of opposition as its origin. And it may be fairly affirmed, that when we consider his impure election, his extravagant doctrines, and mischievous impolicy, the opposition is as temperate, as a sentiment so strong and general, actuating a body politic as sensitive and robust as the American public, can well be expected to be.

Which of his measures are conceived to have been "studiously misrepresented" I cannot conjecture, but if the Panama mission, and the negotiation respecting the Colonial trade, are the subjects of this misrepresenta-

tion, the advisers of Mr. Adams in Richmond, would relieve his reputation, and add to their own very much, if they would hasten to convince the country, that the mission of Mr. Sergeant eventuated in any thing better than indelible ridicule and prodigal expense—and that our profitable trade with the British West Indies has really *not* been transferred to the ports of the St. Lawrence—and the north of Europe. But they tell the people of Virginia that the monarchical declarations of Mr. Adams, in his first message, were not serious, were merely “his highness’s levity”—“his most careless language.” What must we think of the heads of these loyal Virginians, who can invent no better apology for his solemn and considerate expressions; or what must we think of his, for having forced his advocates to such damning extremities of excuse.—It is, however, easier to suppose that these gentlemen indulged in “most careless language” in framing this absurd apology, than that Mr. Adams did, when he asserted in a message to both Houses of Congress, and re-asserted to the Senate on the nomination of Messrs. Anderson and Sergeant, the “constitutional competency of the executive” to institute embassies and to commission envoys, without the advice or consent of the senate; and when he counselled the national representatives to proceed in promoting the general welfare and in executing schemes of internal improvement—in building “Light houses of the sky,” and watching the radiance and revolutions of the planets—without being “palsied by the will of their constituents.”

The object of these and other apologists of the President, is to reconcile the country to his unwarrentable pretensions upon the ground that they are mere abstract opinions, casually conceived and “carelessly” expressed; which he has never attempted and never will attempt to reduce to practice, and which, in the instance of the Panama mission, he actually abstained from enforcing. As if the principle were not every thing, and the practice in any particular case, nothing? Hamden did not regard the amount of ship money levied upon him, but he resented and resisted, at great cost and peril, the *principle* which this tax of 20s. involved. And his *factious opposition* is called by the loyal Hume himself, “a bold stand in defence of the laws and liberties of his country”—“by which he merited great renown with posterity.” The *factious opposition* of our ancestors to the Stamp Act, was not to the particular law or to the modicum of exaction, but to the *principle of taxing the people of this country without the consent of their representatives*, as the Adams men may learn by consulting Marshall’s history of the American Colonies. The same important work will remind them, that when that irritating measure was exchanged for the more invidious one of duties on certain articles of importation, the same principle of oppression was desecrated by the sagacity, and opposed by the independence, of our fathers; and that when it was attempted to conciliate them, by a repeal of all the duties except that on tea, it was regarded as an assertion, not a surrender, of the odious principle of taxation without representation, and that the spirit of patriotic resistance, instead of being assuaged, rose higher and higher, until it flamed forth in open rebellion. Marshall observes (page 388) “The contest with America was plainly a contest of principle, and had been conducted entirely on principle by both parties. The amount of taxes proposed to be raised was too inconsiderable to interest the people of either country. But the principle was, in the opinion of both, of the utmost magnitude.” So the contest between the President and the People of the United States is “plainly a contest of principle,” and as such has been “conducted by both parties.” He maintains the twice declared doctrine of his “constitutional competency.” They complain that it militates directly against that principle of the constitution, which limits the control of the executive over the objects and expense of

our diplomatic intercourse.—This principle is of the “utmost magnitude,” and it differs from that maintained with so much blood and treasure by our forefathers, in this, that it is expressly defined and guaranteed by that written constitution, which Mr. Adams swore “to preserve, protect, and defend.” Now Mr. Marshall, who placed Mr. Adams under the “solemnities of this oath,” tells us that so far from the right insisted on by our ancestors, being defined and settled by any written instrument, it existed only in their natural sense of justice, and inbred love of liberty, (p. 352.) “The degree of authority, which might rightfully be exercised by the mother country over her colonies, had never been accurately defined. In Britain it had always been asserted that Parliament possessed the power of binding them in all cases whatever. In America, at different times and in different provinces, different opinions had been entertained on this subject.” The enforcement of this plausible authority, going only to the collection of an inconsiderable tax, and infringing no written charter of liberty, roused our ancestors to arms. And yet their sons are persuaded by the Richmond meeting to submit to a palpable violation of their bond of Union and Government, subjecting them to unlimited expense, and involving a vital change of its provisions! Verily, the patriotism of this convention “passeth all understanding!”

Taking counsel of their loyalty, they evidently deem lightly of the principle at issue between the country and the cabinet, and conceive that the practical waiver of it, on the part of Mr. Adams in the case of the Panama mission, ought, of right, to have prevented the opposition, which they ascribe to “a personal and vindictive spirit.” In this sentiment they will probably be pleased to learn, that they coincide with that prince of novelists and Tories, Sir Walter Scott. In *attempting the life of Napoleon*, he reproaches the people of France with “a rancorous and vindictive opposition,” because they objected to the king’s assuming the right of granting a constitution to the nation, and insisted on the constitution’s emanating from the people. Sir Walter favors the arrogance of the Monarch, and says “the objections of the French people were, practically speaking, of no consequence.” “It signifies nothing,” says he, “to the people of France, whether the constitution was proposed to the King by the National Representatives, or by the King to them.” In the same spirit, the Richmond meeting conceive that the limitations of executive power “are, practically speaking,” of equal value, whether they are secured by the provisions of the constitution, or granted by the indulgence of Mr. Adams. But, if they do not regard the existing encroachments and actual misrule of the President of sufficient importance to warrant a transfer of power to more able and honest hands, let them remember that Mr. Adams came into office with “a smaller approach to unanimity” than any of his predecessors, and that his first message and his first term are to be taken as the lowest range of his ambition. Elect him again, and ratify his missayings and misdoings by the voice of Virginia—that State which, in the language of Burke, once was foremost to “aveng misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze”—will not his high-born spirit, which looks above the constitution for the sources of power, take a bolder and a loftier flight? May he not aim at transforming the *line of safe precedent* into the power of appointing his successor, which would show his noble disdain of “the will of his constituents,” his diplomatic intimacy with the spirit of foreign monarchies, and would rise above his present pretensions about as far as they are above the level of the Constitution?

The first year of Charles the Second’s reign, after he was restored to the throne of *his father*, are admitted on all hands, by round-head and cavalier, whig and tory, to have been legal and moderate.—But as soon as he

got firmly seated, he showed the people that love of pleasure was inferior to lust of power, and that "the most careless language" often escaped from the most determined tyrant.

Louis the XVIII. for the first year or two, was moderate and gentle in his sway, but he soon muzzled the press, and effected a complete despotism. And why should we think that what is true of a Stuart, or a Bourbon, is not true of an Adams?

Shall we act prudently to ourselves, and gratefully to our ancestors, or justly to our posterity, if for no other object than the emolument and gratification of a few unworthy men, we risk our rights and liberties, our inheritance of glory and freedom, in their unclean and incapable hands? When the Richmond meeting ask the people of Virginia "what benefit they expect to derive, what triumph of principle they expect to achieve by the election of Gen. Jackson," they may be answered, that they expect to vindicate the purity of election, by the exemplary punishment of its violation, the safety of the constitution, by withholding power from its avowed enemy; and the liberty of the press, by relieving the treasury from the expense of its corruption. That they expect to restore dignity and truth to our foreign intercourse, economy and justice to our domestic government, fidelity to the representative and influence to the constituent, supremacy to the law, and satisfaction to the people.

The Richmond meeting having disinterred from "the tomb of the Capulets," the old charges connected with Gen. Jackson's defence of New-Orleans and occupation of Pensacola, I beg leave to *invade* your columns briefly in his defence, at the risk of being denounced, in the same wise and equitable spirit, for a violation of the laws of courtesy, and the limits of editorial neutrality. Their accusations branched out into the crininating accounts of an indictment, and reiterated with the spiteful tautology of attorneys, amount to these two: "that General Jackson has invaded a neutral country in defiance of orders, and in violation of that provision of the constitution, which intrusts the power of peace and war to the President," and "has suspended the writ of *habeas corpus* upon his individual authority."

How far the invasion of Florida was in *defiance of orders*, may be determined by reference to the following documentary abstract. On the 9th of December, 1817, the Secretary of War ordered Gen. Gaines "should the Indians assemble in force on the Spanish side of the line, and persevere in committing hostilities, within the limits of the United States *in that event, to exercise a sound discretion, as to the propriety of crossing the line for the purpose of attacking them and breaking up their towns.*" On the 16th of December, he writes to the same, "should the Seminole Indians still refuse to make reparation for their outrages and depredations on the citizens of the United States, *it is the wish of the President, that you consider yourself at liberty to march across the Florida line, and attack them within its limits.*"* Soon after this last order the President received intelligence of the massacre of Mrs. Garret and her family, and the shocking butchery of

* This *wish of the President* was of no very recent date. As early as the 19th October, 1813, when Gen. Armstrong, then Secretary of War, was on the Canada frontier, Mr. Monroe, Secretary of State, thus expressed himself to Governor Blount, of Tennessee—"Sir, I am instructed by the President to acknowledge the receipt of your Excellency's letter of the 28th ult." "The menaced invasion of your State by the hostile Creeks must be met with a decision which will not only give security to yourselves, but be felt beneficially through the whole extent of our southern country. Our citizens must not continue to be the victims, either of the aggressions of that, or any other tribe, whether they be voluntary, or be made at the instigation of British or Spanish intrigue or seduction."

The letter containing this passage was forwarded by Gov. Blount to General Jackson, and at that early day conveyed to his mind a proper notion of the views of Mr. Monroe respecting the character of the Indian war, and of the energetic measures which would be required to bring it to a speedy and effectual conclusion.

Lieut. Scott and his detachment of thirty men. Under the melancholy impression of these events, he had recourse to the well known energy and talent of the "Military Chieftain," and called upon him to repair to the scene of danger and "terminate the conflict."

The first order he received, dated the 26th Dec. 1817, recited "the increasing display of hostile intentions by the Seminole Indians," and authorized him to call on the executives of the adjoining States for a military force sufficient "to beat the enemy." It also informed him that Gen. Gaines, his second in command, had been directed "to penetrate from Amelia Island, *through Florida*, to the Seminole towns." With this view, (the Secretary adds,) "you may be prepared to concentrate your force, and to adopt necessary measures, to terminate the conflict." It cannot be disputed that these orders not only authorized General Jackson, but actually commanded him, to invade Florida.

He is informed that since the order *authorizing* Gen. Gaines "to march across the Florida line, and attack the Indians within its limits" were issued, the Government had learnt "their increasing display of hostile intentions," in the murder of Mrs. Garret and family, and of Lieut. Scott and his men, that therefore Gen. Gaines had been *directed* to penetrate from Amelia Island *through Florida*, and co-operate in an attack on the Seminole towns, if his force were sufficient for that offensive operation; and that "with this view" he himself was expected "to concentrate his force, and adopt the necessary measures to terminate the conflict." *With what view*, let me ask Messrs. Cabel, Call, and Stanard, was General Jackson "to concentrate his force and adopt his measures?" They can only answer, with the view of "penetrating into Florida," and carrying on within its limits such military operations, as might be "necessary to terminate the conflict."—What justification, rather what apology, can they offer against the indignation of their readers, and the reproaches of truth, for declaring, with the affectation of regret too, that this act of Gen. Jackson was "in defiance of orders!" The orders themselves correspond with the act, and the act conforms to the interpretation given to the orders by the government that issued them. On the 25th of March, 1818, the President, in a message to Congress, adverting to the course and spirit of the Indian hostilities, says, Gen. Jackson "was ordered to the theatre of action, charged with the management of the war, and vested with the powers necessary to give it effect." And on the 13th May, following, the Secretary of War writes to Gov. Bibb, "General Jackson is vested with full powers to conduct the war in the manner he may judge best."

Now, how could General Jackson's discretion, which was intrusted with these "full powers," fail to determine on crossing the Florida line, in order to comply with his instructions "to beat the enemy" and to "terminate the conflict," when that enemy was situated "within the limits of Florida?" It is counting nothing on the justice of the Richmond meeting to affirm, that even they will admit it was *impossible*. As this act of General Jackson was authorized and commanded by the President of the United States, whom, as a Major General in the service, he was bound to obey, it is no part of his defence, to disprove the allegation of its being in violation of a provision in the constitution. This charge were it sustainable, would evidently miss General Jackson and hit Mr. Monroe. But it was debated in the House of Representatives with intense eagerness for about three weeks; was discussed by 22 members, and enforced by all the boasted management and eloquence of Mr. Clay; and yet was decided in the negative by a vote of 100 to 70, with the votes of Messrs. Sergeant, Southard, and Newton among the nays. To them I beg to refer the meeting for its further discussion, remarking only, that the entrance of the American

army into Florida, and their provisional assertion of our belligerent rights, in place of the abused or the direlict authority of Spain, was no violation of neutrality, much less an act of war; but an act strictly defensive; authorized by the principle of self-preservation, which is derived from the law of nature itself; is recognized by the law of nations, and conduces to their mutual safety, and under the obligations of which the President, to whom the constitution commits the defence of the nation, and the assertion of its rights, was bound to prosecute the war with the Seminole Indians, to a speedy and successful issue.

The right of self-defence, belonging to the nation, and committed to the President, carried with it a right to the means of its exercise.* And the inability of the Spanish authorities, or their unwillingness to preserve towards us the general obligations of neutrality, or to comply with the positive stipulations of a treaty binding them to restrain the Indians, within their limits, from hostilities against the citizens of the United States, brought General Jackson's military operations, in Florida, strictly within the number of these means. But whether regarded as they relate to the constitution of this country, or as they effected the rights of Spain, they are equally insufficient to inculpate General Jackson. He acted like other commanders, under the orders of his government, and these orders he executed with his usual energy and address.

He was not responsible for their nature, or for the extent of operations which they commanded, and therefore needed no defence. And the fact is, that in the despatch of Mr. Adams, when Secretary of State, to our Minister in Spain, dated 28th November, 1818, (which has been so invidiously—and I may say ignorantly lauded as an able and liberal defence of General Jackson, and which so far as it regards this matter, is nothing more than a verbose and declamatory rehearsal of the evidence and arguments furnished by the General himself, in explanation of his measure†) the name of Jackson is introduced for no other than the usual diplomatic purpose of making the officer the scape-goat for the government.

The next charge of the Richmond meeting, "he has suspended the writ of *habeas corpus* upon his individual authority," besides the fault of expression, in using *individual* where *official* was required, and the glaring incongruity between a belief in these charges and the early declaration of the meeting, that they apprehend from the General "no attack on public liberty," and "repose undiminished confidence in his love of country;" an incongruity which shows that the end of their address had forgotten the beginning, contains a positive mis-statement of fact. General Jackson did not suspend the writ of *habeas corpus*. I am perfectly aware, that the true question growing out of the defence of New-Orleans, is not whether the writ of *habeas corpus* was or not suspended, but whether General Jackson did or did not, on that memorable occasion, perform his duty. I am also satisfied, that no friend to his country, can lay his hand on his heart and say, he did not perform it.—But his merit is so rich in relation to that defence, that I am willing to pursue the criminal inquiry set on foot by the unfounded and irrelevant charge of the meeting, confident of being able to show, that their own mode of investigation must demonstrate the General's renown, and their own injustice. It appears to me, that the public writers in Virginia, who have been shivering their lances against the "broad circumference" of General Jackson's fame, and especially the

* Vattel, page 241.

† For the arguments and evidences here referred to, See documents (25) accompanying the President's Message, December 2d, 1818; particularly the General's despatches of the 5th of May and the 2d of June, 1818, and their enclosures, and compare them with Mr. Adams' letter to George Washington Irving.

contrivers of this address, imitate the acts of necromancers, who, in calling up the dead and communicating with the devil, are represented to begin by alarming the spectators with exhibitions of skulls and skeletons, prodigious shadows on the wall, magical circles on the floor, blue flames, livid smoke, and other such fearful sights. So, the politicians alluded to, always endeavour to terrify and mislead the judgment of their reader, by parading a number of technical phrases—the writ of *habeas corpus*, the liberty of the citizen, the liberty of the press, &c. as if these constitutional blessings had been destroyed by General Jackson, and had not, in fact, been preserved to the people of New-Orleans, by his prudence, patriotism, and valour. This pernicious sophistry results, in part from the absence of facts for the foundation of their attack; in part, from the brood of attorneyisms produced by their ponderous jurisprudence; and, in part, from their exclusive reading of English history and English law wherein these safe-guards of freedom are frequently seen struggling under the gripe of oppression, and faintly dawning out after a night of darkness. But here, where they are the staff of our political life as general and current as the air we breathe, they should be contemplated without agitation, and handled without hysterics. If the Richmond meeting would condescend to follow the advice of Dr. Franklin to Buffon, and would ascertain facts before they philosophized, they would find, that General Jackson did not suspend the writ of *habeas corpus*. On the contrary in order to prevent any interference of this delicate process of civil authority, at a crisis so dangerous, with the military power, he recommended to the legislature of Louisiana, as they had assumed the power of laying an embargo and of closing the courts of justice, to suspend the writ of *habeas corpus*. His recommendation was not complied with.* But, let me ask, did the writ of *habeas corpus* ever discharge a soldier under confinement in the camp of General Washington, or of General Greene, or of any other commander, in time of war and invasion? General Jackson had found it necessary, as there was a levy, *en masse*, of the citizens, to incorporate the City of New-Orleans within the limits of his camp, by encompassing it with a chain of sentinels, and extending, of consequence, over it, (what the attorneys call martial law,) the influence of the rules and articles established by Congress for the government of the armies of the United States, whether of regulars or militia. But this extensive castrametation, which made a popular city seem to revolve around a small army, is objected to. Facts will show, with what justice. When General Jackson arrived at New-Orleans, he found the population prostrate with fear and despondency.

His presence, prowess, and activity, awakend a very different spirit; the patriotic citizens manifesting ardour and confidence, and gradually distinguishing themselves from the disaffected French, who, under the auspices of the French consul, and out of gratitude to the English for the restoration of the Bourbons, were discovering "an awful squinting at monarchy." Governor Claiborne had written to General Jackson, "the country is said to be filled with spies and traitors"—"there is in this city a greater spirit of disaffection than I had anticipated"—"my greatest difficulty is with the European Frenchmen, who, after giving their adhesion to Louis the Eighteenth, have, through the medium of the French consul, claimed exemption from the drafts, as French subjects," though they had come into the American family of choice, under the treaty of cession, and exercised the rights of citizenship ever since, as General Jackson discovered by inspecting the election polls. The Governor adds, that, after consulting legal advisers, he had taken upon himself to banish a suspected

* Eaton's Life of Jackson, page 278.

inhabitant, by ordering him "to depart from the state in forty-eight hours." So sensible, indeed, were all the faithful citizens, and every prominent authority in New-Orleans, of the necessity of removing all obstructions to the enforcement of the paramount law of self-defence, that the Legislature having no power under the constitution to regulate or restrain commerce, passed an act *laying an embargo*, which the Governor sanctioned, and the citizens acquiesced in. In that case, the Legislature acted, and wisely acted, on the principle of self-preservation, recognized in the preamble to the constitution, "to provide for the common defence;" and did that for their constituents which Congress, to whom they had delegated the power, would if they could, have done for them. The Legislature also passed a law, closing the courts of justice for four months, which the Governor assented to, and the judiciary solemnly approved. And Judge Hall himself, discharged without bail or recognizance, persons committed and indicted for capital offences, against the United States—concurring with the other departments of power, in their conviction of the *legal necessity* of superseding the less essential and elementary provisions of law, by the great law of self-defence. And was General Jackson, who held all the power which the United States could exert in defence of this important and vulnerable position, to resist these practical analogies, and revolt from this great law, at a moment when the writ of *habeas corpus* was perverted to endanger liberty, when the hopes of the nation, the interests of millions, the lives of thousands, rested on his single arm? Was he to repeat for his country the *Bladensburgh races*, or to fight for her the battle of New-Orleans?

Had he fashioned his conduct to suit the taste and win the applause of the Richmond meeting, he might have had Generals and Attorney-Generals, Barristers and Merchants, from the city, capering about his lines, discouraging his men, disconcerting his measures, and scampering away from the enemy. He chose rather to have citizen soldiers, and to make those who owned the power contended for, share in the toil and danger of its protection. A rich and testy dealer in cotton, who looked as if "but for these vile guns he would himself have been a soldier," accosted the General, who was piling up cotton bales against Wellington's invincibles, and requested that he "*appoint a guard for his cotton.*" "Certainly," replied the General, "your request shall be complied with—here, sergeant, give this gentleman a musket and ammunition, and station him in the line of defence: no one can be better qualified to guard the cotton, than the owner of it." Thus the *dealer* was delt with. This commanding spirit, confirmed by the example of the other authorities, and by the pressure of the moment, suggested to General Jackson the prudence of comprehending New-Orleans itself in his camp: of taking the city he was to defend under his protection. The measure was discussed with eminent citizens in the presence of Judge Hall, and approved by others, was not excepted to by him. It was advised and adopted distinctly on the ground of *public necessity*, of which all were convinced, and none even now can doubt. If the noted Louaillier, under the influence of the royalist Blaque, and the officious Judge (whose fault is atoned by the fact that he soon repented it, and he died a sincere friend and admirer of Jackson) brought *without necessity*, and upon a secondary principle, the civil authority into collision with the military power, when exerted *from necessity* and for the primary objects of the constitution, it was no fault of the General. It is not the first time that enactments, provided for the liberty of the citizen, have been found temporarily incompatible with the safety of the state. Hence the well known maxim of the civil law, *Inter arma silent leges*. It is not the only conflict that has or can be found between separate provi-

ions, or between the end and details of our constitution. Treaties, when approved by the Senate and ratified by the President, are declared to be "the supreme law of the land," and yet members of the House of Representatives claim, and justly too, the right of disregarding this supreme law, and of interposing their power over bills of revenue. The right of property is secure under the constitution; and yet, in certain cases, a military officer may seize the means of subsistence or of transportation, leaving only a fair compensation to the owner, on the just ground of necessity. The trial by jury is the birth-right of the citizen, and a dearer right than that secured by the *habeas corpus*, and yet the judicial power sets this right at defiance, and punishes for contempt, without the intervention of a jury, upon the ground of legal necessity. In violation of the same right, our legislative bodies punish arbitrarily any citizen who may attempt an abuse of their dignity or privileges, and Mr. Clay himself exercised this power in the case of John Anderson. The truth is, these anomalies must be tolerated even in our fair and effective system, on the ground of necessity. They are essential to the principles they seem to oppose. The inconsistency of military power with the spirit of our institutions, arises from the nature of things—not from the character of this or that commander—from the opposite characters of peace and war, and the adverse dispositions of mind on which these conditions of society are founded.

Force is the principle of war. Equity the spirit of peace. These two elements, however elaborated by civilization or ramified into consequences, cannot be divested of their original discordance. The prudence of our magistrates, and the patriotism of our citizens, have in most instances, prevented their collision; but Louaillier and Judge Hall determined to bring them into conflict. On the 13th of February, Admiral Cochrane had written to General Jackson that he had received from Jamaica unofficial intelligence of peace. The General received his letter on the 21st, and immediately addressed to him this inquiry—"whether he considered the intelligence as authorizing a cessation of hostilities?" which inquiry was answered in the negative. But with the retreat of the enemy to their ships, the danger appeared to many to be over, and the impatience of military duty which this impression created, was the motive upon which Louaillier operated. Although the General in a proclamation had cautioned the citizens "not to be thrown into false security by the intelligence of peace," observing "even if it were true that peace had been signed in Europe, it could not put an end to the war until it should be ratified by the two governments,"*—although the British, who had been re-inforced by a larger body of fresh troops, lay in half a day's sail of New-Orleans, by a passage which the batteries at *Chef Menteur* and *Fort Coquilles* defended, Louaillier published a piece that caused the Louisiana companies which manned these batteries, to desert, return into the city, and leave it exposed. He was arrested for exciting mutiny and desertion in the camp, and for giving intelligence to the enemy, and to discharge him from arrest, Judge Hall issued his writ. The writ was resisted. It was proved by the testimony of the clerk, that the writ was actually issued before the arrest of Louaillier, and that the date had been altered by the Judge to suit the occasion.—This was proof of complicity on his part, that rendered the proceeding more exceptionable. But General Jackson declined availing himself of this defect, and met the principle fairly, asserting the necessity of adhering to his plan of defence, and maintaining military power. Nor did he stop to ascertain what statute had conferred on a District Judge of the United States, power to issue a process, which,

* Historical Memoirs by Lafont.

touching the liberty of the citizen, and being in its nature the creature of statute, would more properly emanate from the state judiciary. As all other commanders in this Union, on occasions of less necessity, had done, he kept the civil process out of the camp. And would the gentlemen of Richmond have had him yield to the officious Judge and mal-content citizen—to suffer his troops to desert, and defences to be abandoned, when a superior hostile force, unused to defeat, and intent on “beauty and booty” was not farther from New-Orleans than City Point is from Richmond—New-Orleans far more important to lose and difficult to recover than Richmond? Was the temporary restraint of Louaillier, the momentary suppression of his *cacoethes scribendi*, a greater evil than the permanent conquest of New-Orleans. The meeting described the writ of habeas corpus “as the safe-guard of individual liberty,”—but at the crisis referred to, the power of General Jackson was the safe-guard of the liberty of thousands, and individual liberty was not to endanger so great a stake. He who brought it into collision with this great object, acted like a bitter foe to his country, and was no more entitled to respect than he would have been, had he, on the 8th of January, interposed his person between the American riflemen and the enemy, and insisted on the former not firing for fear of taking his life. The truth is, the Judge, the citizens, the army and the people, were all embarked in the same vessel, and in the same storm. Measures proper for the defence of all, were by the law of necessity, obligatory on all, and the pilot to whose strong arm the helm was consigned, would have been guilty both of crime and folly, had he relinquished it merely because land was in sight. This, General Jackson would not do, and his patriotic firmness has excited the lasting gratitude of the American people. The sentiments which the same people entertain for those who rail at him for serving—nay saving his country—for not permitting his sentinels to be *subpena’d* from their posts, or his men removed by writ of *habeas corpus* from their guns, acts which lawyers enough could have been found to justify—the Richmond meeting will be able to discover, should they, who are so pure from all stain of military glory, ever hereafter make an appeal to their fellow citizens for promotion to political honors. But the civil authority, which from its mal-administration, he was obliged to offend, he propitiated in a manner so signal, as to return it greater strength and sanctity than the folly of its object and its agent had taken away. When peace was announced, he hastened to appear before Judge Hall in court, and offered an argument to show cause why he should not be punished for contempt.

The Judge refused to hear his defence. At a subsequent day he attended to receive sentence, and when the Judge, trembling at the murmurs or the indignant crowd, hesitated to pronounce it, “fear not,” said the illustrious prisoner, waving the multitude to silence with his hand—“Fear not, your honor: the same arm which repelled the invasion of the enemy, shall protect the deliberations of the court.” The sublime humility of the patriot General did not end here. The ladies of New-Orleans whose enchantments had been saved from terror and pollution, not by the *habeas corpus*, but by his valour, contributed a fund to discharge the fine. But they found he had anticipated them—had paid \$1000 out of that small fortune, the whole of which he had pledged to the banks of New-Orleans, to raise money for his defence. And when their gratitude would force the contribution upon him, he preserved his independence, and displayed his humanity, by requesting that the money should be applied to the relief of the widows and orphans of the brave citizens who had fallen in the campaign. Could Washington himself have shown greater respect to the law, or greater fidelity to the country? It has been said that Washington never

refused to comply with civil process. But he was a dictator, and who ever dared to oppose the civil process against his power? Did he not execute deserters without even a military trial? Did he not punish mutineers by decimation and instant death? Did he not forage in New-Jersey as in an enemy's country—in each case, on the ground of necessity? He did, and his conscience and his country both approved him. While Jackson, acting with less rigour, under equal necessity, is denounced by the Richmond meeting, as "this agent of illegal enormities."

But Judge Fromentin issued a *habeas corpus* in the case of Callava, and as the meeting had doubtless two strings to their bow, I will give a few words to that subject. If the power and the precept of Judge Hall were defective, those of Fromentin were absolutely good for nothing.

General Jackson, as Governor of Florida, was invested with "all the powers and authority heretofore exercised by the Captain General and Intendant of Cuba, and the Governors of East and West Florida, within the said provinces, respectively." The only limitations are contained in a proviso, reserving the power of imposing additional taxes and granting of land. Now who ever heard of a writ of *habeas corpus* being pushed into the face of a Spanish governor? But in addition, it appears that Judge Fromentin's powers were as limited as Governor Jackson's were ample. In a letter from the department of State he is told by Mr. Adams, "I am instructed by the President to inform you that your commission as Judge, was intended to apply to the execution only of the laws relative to the revenue and its collection, and to the slave trade." New Merced Vidal had represented on oath to Mr. Breckenridge, the Alcade or Judge of Pensacola, that the testamentary papers of her father had been taken from among the public records before the cession of the province; that for want of them she could not get possession of the estate which she inherited, a great part of which consisted in a sum of money deposited with the house of Innerarity & Co. and that they were withheld by means of the said Innerarity. The papers were found in possession of Domingo Sousa, an agent or subordinate of Colonel Callava, a Spanish officer, who had proclaimed himself to be Governor of West Florida, and acting as such had delivered over the provinces to Jackson. When applied for, they were refused to Governor Jackson's commissioners, and returned by Sousa to Callava. Upon Callava's repeated refusal to surrender them, he was arrested, the box in which the papers were contained, was opened by commissioners, acting with a warrant of the Governor, the papers taken out, deposited in the court of Judge Breckenridge for the benefit of the heirs of Vidal, the box resealed, and Callava discharged. Now, here Governor Jackson was acting strictly within his commission, and clearly for one of the objects of his appointment, viz. "maintaining the inhabitants in the free enjoyment of their property"† Callava, it was stated on oath, declared his intention was to carry off the papers to Havana, where they would have been retained for a fee from Innerarity—or, if returned to the heirs of Vidal, at very heavy costs. To procure the discharge and facilitate the extortion and fraud of Callava, Fromentin, without the petition and affidavit required by law, and without the slightest authority from his commission, issued a writ of *habeas corpus*.

The Governor disregarded the ridiculous precept, and accomplished the objects of justice. As soon as the papers were secured, Callava was released. But the Spanish minister and Callava insisted that the latter was

* Marshall's Life of Washington, Vol. 4, and page 404—5.

† The words of his commission, enclosed by Mr. Adams in a despatch from the Secretary of State, of the 12th March, 1821. See documents accompanying the President's Message. 1821.

shielded from the Governor's authority by his immunities as a public functionary of Spain. For this plea, however, there was no cause, although Mr. Adams' diplomacy had furnished a pretext. His diplomacy, like the beauty of his style, has been the subject of unmeasured praise; when in truth his blunders exceed every thing in the history of international negotiation.

In the same treaty he stipulated that with the territory, Spain was to cede to the United States the *fortifications* within it, (which was pretty much a thing of course,) but no mention was made of the ordnance or munitions with which the *fortifications* were finished. In several instances they exceeded in value the works themselves, and therefore the Spanish authorities availed themselves of the incompleteness of phrase in the treaty, and refused to give them up.*

The time prescribed for the surrender of the province had expired, and the term fixed for the departure of the Spanish officers had passed. Gen. Jackson as Governor had possession on the part of America, and the powers of Callava, as commissioner under the treaty, had ceased with the transfer of possession; but he claimed the continuance of these powers, as the Spanish Minister did for him, upon the ground that the article respecting the fortifications was not yet executed, and that until it was, his powers, and with them, his immunities under the law of nations, continued.

Gen. Jackson, with his usual discrimination, perceived the fallacy of this pretension—showed that the non-execution of that article had caused it to revert to the ordinary channels of negotiation between the two countries, and as he had given to Callava on taking possession, a verified list and valuation of, and an official receipt for, the ordnance, &c. this subject could never again fall into the hands of a commissioner. He therefore denied the privilege of Callava, and by his authority as Governor of the province, frustrated his mercenary attempt to defraud the heirs of Nicholas Maria Vidal: and defeated the ridiculous and unauthorized endeavour of Fromentin to favour this villanous project by a writ of *habeas corpus*.

When you reflect, gentlemen, on your own repeated publication of Gen. Jackson's letter to Dr. Coleman, avowing his sentiments in favour of a judicious tariff, and on your reference to one not less explicit, and on the same subject, to a member of the Legislature of Virginia, you will confess with me the difficulty of finding a decent denomination for the declaration of the meeting, that General Jackson "shrouds his opinions of the Tariff in impenetrable mystery." Have either of the signers of the address applied to General Jackson for a statement of his opinions on this subject; and were he to publish them voluntarily, would not they all be ready to repeat the charge, "he mingles in person in the contest waged for his own elevation?" According to their "benevolence and Christian charity," if silent, he is sinful, and guilty if he speaks. This charge is no truer than the story of Decatur's attempt to bully him in the lobby of the Senate, where, in fact, they never met. The reference of the meeting to history, ancient, modern, and recent, for the purpose of vamping up their rotten cause, need hardly be noticed.

Any school-boy in Richmond can tell them that neither Sylla, Cromwell, nor Bonaparte destroyed the liberties of his country—that in every instance demagogues like Mr. Clay and his satellites and instruments, had done that first; and that the usurpers were submitted to in preference to the demagogues.

* For this fact see, in documents accompanying the President's Message of December 5th, 1821, the letter of Don Hilario Rivas y Salmon, of the 6th of October, 1821, to Mr. Adams.

The men who endeavour to sustain and prolong the corrupt practices of the present administration, are the persons who are paving the way for military despotism. They are undermining our institutions, poisoning our public spirit and disgusting the people with a form of government which cannot subsist without the support of opinion. If history reflects true colours from the past to the present, the Richmond meeting are now "sowing the seeds of despotism" in this free country, and endeavouring to draw their fellow-citizens to a precipice, the brink of which is adorned with the flowers of flattery, and the bottom covered with the ruins of States. Plutarch, speaking of the usurpation of Sylla, says, "the people were so corrupt, and the republic in so sickly a condition, that tyrants sprung up on every side, nor is it any wonder if Sylla gained the ascendancy at a time when such wretches as Glaucias and Saturninus expelled such men as Metellus," who was denounced like General Jackson as a *Military Chieftain*. The tyranny of the long parliament had made its rule and its members so odious, that Cromwell kicked them out of their seats without "the least opposition."

Hume relates this fact, and accounts for it by stating, that its "dissolution was ardently desired by the people, as its commencement had been." Who can say that France was free, when Bonaparte effected the revolution of the eighteenth of Brumaire? Had not the raging cruelty of Marat, of Danton, of Robespierre, been slacked in the best blood of France—her noble patriots, her lovely females, the grace and chivalry of the land? And were not the *corruption and imbecility of their Directory*, the proximate causes of Bonaparte's success?—causes which made his iron rule relief to the French people? Or did either of these men resign command, and retire to private life for ten years? But even if Lucius Cornelius Sylla had destroyed the liberty of Rome, would that be any sort of an objection to the election of Andrew Jackson? The characters of the men are as different as their ages and countries. Both exhibited great military talents, but the Roman, great, moral, and political vices. Shall we never respect a parson, because Dr. Dodd was hung for forgery; or a bishop, because bishop Jocelyn was banished for an unnatural crime? What would their reverend delegate, Dr. Kerr, say, if the Richmond meeting were to direct such logic against him? And yet the analogy is closer between an American and an English priest, than between an ancient and a modern general.

The Richmond meeting appear to conceive, that the qualifications of Mr. Adams for the Presidency are undeniable; because he has been long in public life, and has great practice in diplomacy—and they denounce General Jackson, as incompetent and dangerous. But there are such things as age without experience, and practice without perfection. Some men grow old in bad habits of thought—inveterate in eccentricities—obstinate in errors. This happens to those who are conceited; who have acquired a little knowledge, and have credit for a great deal; who have not mixed in the strife and bustle of the world, and felt the springs by which it is actuated. It is the case with Mr. Adams. He knows something of the man in the moon, but nothing of the men on the earth. He thought that the appointment of James Barbour would conciliate Virginia—when the smallest tact, or even the power of common observation, would have convinced him that no man of that state had less influence than Mr. Barbour—and that the very idea of flattering Virginia by such a *placebo*, was a deep offence to her pride. But even if Mr. Adams were—what he is not, never was, and never will be—an able diplomatist and an elegant writer, would that prove him well qualified for the office of President? Did any one ever

think of Talleyrand as an able chief magistrate—or consider General Washington a skillful diplomatist? The qualities which compose the character of Jackson, on the one hand, and which posterity will know him by, are a vigorous judgment—a deep insight into character—a generous sensibility to merit—a prompt indignation at vice—a frank temper—a free hand, and a valliant heart. The rapidity and strength of his reasoning faculty, and the fervour of all his conceptions, constitute him decidedly a man of genius, and give him a force of character which all feel who approach him. To such a mind, so prompt, so active, so enterprising, age has indeed given experience, and reflection brought wisdom.

That he may be less odious to the Richmond meeting, I will not mention the moral qualities that distinguish him from their idol, Mr. Clay—his correct habits, simple tastes, upright principles, and lofty honor. But I will mention that he too has been an attorney, and even a judge—that he stood first at the bar of his state as a criminal lawyer, and high on its bench as an equity judge—and that in the society around him, he has maintained an intellectual superiority as eminent, and a social influence as endearing, as Judge Marshall enjoys in Richmond. Think then of his great exploits, his heroic self-denial, his sensitive patriotism, his victorious courtesy;* and, to raise your conception still higher, gentlemen, compare him with the judges and the attorneys who modestly pronounce him incompetent, and say whether the people of Virginia can hesitate to prefer him to Mr. Adams. If indeed they should hesitate; if a malignant fate shall ordain success to the counsels and machinations of the Richmond meeting, shall decree that the great state, which revolted from the honest aristocracy of the father, must submit to the perfidious despotism of the son; then may George the 4th hope to replace the jewel which was plucked by our ancestors from the British crown; and expect to see the Cabells, the Stanards, the Taliaferros, and the Calls, lay prostrate at his feet, that liberty which the Washingtons the Henrys, the Randolphins, and the Lees, wrested from the grasp of his father.

JEFFERSON.

* The correspondence between Gen. Jackson and the British commanders, after the battle of the 8th, is well worth reading. It shows that the American General was the conqueror of his foes, even in humanity and politeness. On the 27th February, Gen. Lambert writes, "on the subject of your concluding paragraph, I have only to remark, that honourable and feeling conduct, which has characterized every transaction in which I have had the honour to be concerned with you:" and General Keane expresses "his thanks for the kindness he has received from Gen. Jackson, through the medium of Colonel Livingston."

[FROM THE NASHVILLE REPUBLICAN.]

To the Editors of the Richmond Enquirer.

GENTLEMEN—Since my last communication, I have read the address reported by Mr. Johnson to the Adams convention in Richmond, and I find it to be a fabric of stimulated fears raised on a foundation of antiquated slanders. Void of facts, destitute of truth, and patched up with theological zeal and forensic stratagem. It reminds me of the men of straw, dressed in cast off hats and coats, and stationed as scare-crows in the corn-fields of Virginia. Decked in the pap-stained garments of Binns, Gales, and Hammond, it is calculated to deter very close examination, but as it is avowedly the work of Mr. Johnson, and looked on by him with the eyes of Pygmalion, I risk the displeasure of fastidious readers and undertake to expose it.

But do not the proceedings of this convention give birth to a reflection too solemn to be unuttered—that in the ruling state of this confederacy, a commonwealth teeming with patriotism, and rich in renown, which, “when asked for her jewels, *still* points to her sons”—men of high station and repute should be found, concerting by an organized effort the renovation of exploded falsehoods, in order to tarnish the fame of a private citizen, whose great exploits and popular virtues make him formidable to a weak and corrupt administration? And does it not add to the gloom of this reflection, that the holy places of prayer and the exalted tribunals of justice, should furnish recruits to this conspiracy against the character of a venerable patriot, and the liberty of a youthful republic? But let not the lover of freedom—let not the votaries of truth despair—let not the friends of the country tremble. The PEOPLE are not only the fountain of political power, but of political hope. Guarded by the press, which, in spite of the expensive efforts of Mr. Clay to seduce or intimidate it, is yet free, the institutions of our country will find strength and perpetuity against the machinations of the few, in the pure love of freedom which animates the great body of the nation. To their sure and sagacious patriotism, it is perhaps fortunate that frequent appeals are necessary. Even the labours of the Richmond convention may in this way prove useful, as the serpents which Hercules strangled in his cradle, may be supposed to have invigorated him for the greater task of cleansing the Augean stable. There is certainly much to admire in the rhetoric and the reason of Mr. Johnson, in founding a claim for the convention to peculiar sincerity and particular attention, upon the remarkable fact of the month of January (when they chose to assemble) being an “inclement season!” But he might have mentioned a much more extraordinary circumstance, and counted on the attraction of more general notice. He might have told the people of Virginia that he and his compatriots were careful to select the day which had been consecrated by more than half the nation to the honor of General Jackson and the public gratitude—the day on which the altars of freemen burn with incense and their hearts with joy, for the more signal and embittered opportunity of pouring out upon him a collected torrent of abuse. That while the people of Louisiana were hailing him as their saviour, the legislature as their deliverer, the ladies as their protector, the children as their guardian, and the patriach* as his friend, they had predetermined to be employed in denouncing him in the name of that very legislature and that very people, as the slave of ignoble passions, the tyrant of Louisiana, the enemy of

* Father Antoine

the people he saved, and the foe of that liberty which he defended. This would have constituted as affective an appeal to public notice as the shivering allusion to a January journey.

This frigid exordium gives place to a scale of their opinions respecting Mr. Adams, tenderly graduated from a shade of modest objection to the florid glow of courtly adulation, where the manly tone for which Chapman Johnson once had credit through Virginia, is artfully lost in the pathetic and pensioned phrases of the Whig ; and for a harsh and unqualified avowal of their hostility to General Jackson. "Most of us," say they, "approve the general course of the administration, have confidence in its virtue, its patriotism, its wisdom, and see nothing to condemn in the President's interpretation of the federal constitution." "The measures which some disapprove in the present administration, none could hope to see amended under that of General Jackson." "The constitution which we would preserve from the too liberal interpretation of Mr. Adams, we would yet more zealously defend against the destroying hand of his rival."

With these fair and well digested sentiments, Mr. Johnson proceeds to controvert the accuracy of the general belief that Jackson is the favourite of the people ; in doing which, he falls into what logicians call a *vicious circle*, forgetting evidently that the best possible proof of that fact, is the general belief of it. And it happens accordingly that the only reasonable part of his argument on this point, is what he doubtless thought no argument at all—viz. a positive denial of it. He next endeavors to rebut the objections which have so widely prevailed and been so completely established to the last election by misrepresenting them, as *black legs* give themselves a command over the cards by stocking them.—"The friends of General Jackson," he asserts, "insist that his plurality of votes at the last election, proved him to be the choice of the nation." Now, the fact is, the friends of General Jackson have done no such thing. They contended and do now contend, that his plurality of votes, placing him nearer to the point of popular preference, made decisive by the constitution, than either of his competitors, it was the duty of the representatives of the people, when they came to estimate the comparative claims of the candidates, to allow this circumstance great weight, and make it overbalance strong preferences for his rivals, or strong prepossessions against himself.—They further maintained that when the right of choice was transferred from electors appointed by the people, to electors delegated by the states, a fact which had not arisen in the first process, should have had a fair operation in the second—viz. that in several of the western states, where Jackson was second to Clay before the people, he became first as soon as Clay was withdrawn. Mr. Johnson describes the primary election as popular and the secondary as federal ; and he must admit that the moment which advanced the process from the primary to the secondary stage, expunged the name of Mr. Clay from the list of candidates, and left the popular will of those States to operate in favor of Jackson, Adams or Crawford. Their delegations were bound to give a genuine expression of that will, and to gather it from such facts as were then before them. They had to determine who are the most popular in their respective States, Jackson Adams or Crawford. If the Kentucky delegation looked to their polls, they found that the same evidence which proved Mr. Clay to stand before General Jackson in the popularity of Kentucky, proved General Jackson to stand before Mr. Adams or Mr. Crawford. They knew that some of their own body preferred him even to Mr. Clay. That a large majority of the Legislature of Kentucky were in favor of his election, and that a general impression, resting on a mass of undoubted facts existed, that he was next to Mr. Clay in the estimation of the western people.

'These were the only facts upon which they could find a faithful course of action at the time, and they could leave no doubt that if they made the will of the people the rule of their conduct, they should vote for General Jackson. The course of events has involved others which confirm that conclusion. The elections in Kentucky, Missouri and Illinois, have proved incontestably what Mr. Johnson earnestly denies that in the last Presidential election, "the will of the people was improperly disappointed by their representatives." That is, if the people who elected Messrs. Daniel, Yancey, Chilton, Lyon, Duncan and Bates, to the present Congress, know their own will as well as Mr. Johnson does.

The charge of corruption, which Mr. Clay fixed upon himself and his flexible friends at the last election—under which some of them pine in painful obscurity, and he himself writhes in splendid disgrace—Mr. Johnson affirms, was met by Mr. Clay as soon as it was preferred, and abandoned by its supporters when they were challenged for proof.—This the reader will at once recognise as the empty and incautious language of Mr. Clay himself, on those occasions upon which he has been permitted to exchange his cheap and gascon eloquence, for the wine and mutton of his entertainers. Its having been adopted by a set of Virginia politicians, removes those objections which occur to giving it even a brief consideration.

It is to be observed that the charge of Mr. Kremer was prospective, imported that Mr. Clay and his friends *would* vote for Mr. Adams, and that in consideration thereof, Mr. Clay was to be appointed Secretary of State. As soon as this charge was avowed by Mr. Kremer, Mr. Clay appealed to the House of Representatives for a solemn investigation of it, before the election—before either of the overt acts prospectively charged by Kremer could have occurred. Mr. Clay could not vote for Mr. Adams, nor Mr. Adams appoint Mr. Clay, before the election. Did it argue any thing like innocence in Mr. Clay to defy Mr. Kremer to prove the charge, at a time when its consummation, its only substantial proof had not been effected; and when it was in the power of Mr. Clay himself to disappoint the most conclusive evidence of intention that could be exhibited, by declining to give the venal vote, and to receive the mercenary appointment. The fact that he did challenge an investigation at a time when it was impossible to convict him, and has declined one since it was possible, is proof sufficient, if other proof did not abound, that the motive of venality alleged against him by Mr. Kremer really existed.* Let those who may

* In a case like Mr. Clay's where the judgment is to operate on the concealed motives of the mind, it would appear that the best evidence is to be derived from the justificatory declarations of the accused person. All other circumstances have but a probable connection with his motives, these have a necessary one. The former are directed at them, the latter proceed from them; and wherever they conflict with truth, they shew to demonstration, a consciousness of guilt, and an effort to conceal it. To apply this rule—in his circular to his constituents, of March, 1825, his first real attempt at justification, he says:—"I found myself transformed from a candidate before the people, to an elector for the people. I deliberately examined the duties incident to this new attitude, and weighed all the facts before me, upon which my judgment was to be formed or reviewed. If the eagerness of any of the heated partisans of the respective candidates suggested a tardiness in the declaration of my intentions, I believed that the new relation in which I was placed to the subject, imposed on me an obligation to pay some respect to delicacy and decorum." Here he declares to his constituents that he was tardy in the declaration of his intentions, after he became transformed into an elector for the people, both because he was beset by heated partisans, and because his new relation to the election imposed on him obligations of delicacy and decorum. But in his pamphlet, his last, or rather, his latest attempt at justification, he says, (p. 18.) "Mr. Bouigny, Senator from Louisiana, bore to me the first authentic information which I received of the vote of Louisiana, and consequently of my exclusion from the house. And yet in our first interview, in answer to an inquiry which he made, I told him without hesitation, that I should vote for Mr. Adams in preference to General Jackson." Was this tardiness delicacy or decorum? In the very "first interview," and on the very first inquiry, after he "found himself, placed in the new attitude of elector for the people," so far from being tardy, delicate, or decorous, on the subject, he avows his intentions "to vote for Mr. Adams in preference to Gen. Jackson

be so far beguiled by the sophistry of Mr. Clay and his parasites as to hope for any relief to his reputation from Mr. Kremer's failure to convict him, suppose for a moment that Paulding, Williams and Van Wart, who captured Andre and led to the detection of Arnold's treason, had only charged him with *intending* to deliver up West Point for a lucrative appointment in the British Army. Suppose Arnold had then demanded an investigation of this charge before a military tribunal, and had challenged its supporters to the proof. Suppose *these* patriots had failed, as they must have done, to convict him—that he had then held the treasonable correspondence with Sir H. Clinton and received the lucrative appointment—would it be possible to extract any proof of his innocence from the result of the investigation? Could any friend of his, attempt such an imposition on the common sense of mankind; or would the most sceptical historian consider this circumstance as diminishing by a grain of doubt the mass of evidence against him? The parallelism of these cases cannot be denied; and the only historical variation between them is that Arnold's emissary was apprehended, and that Clay's has not been. How cruelly absurd then is it, for the adherents of the Secretary of State to recur to this mock investigation in chanting his praise; and how desperate must be the condition of that man's character, which, when eradicated by the circumstances of his own conduct, can be vindicated only by a mode of justification, which leads directly to the demonstration of his guilt? The author of the address adds to this absurdity, another which, as he is an expert and approved attorney, is as remarkable as it is obvious. He asserts that General Jackson has given the sanction of his name to the charge of corruption under which the Secretary labours. It will be remembered that Mr. Clay himself has eagerly assumed this position. But it is in direct opposition to truth. Gen. Jackson has never adopted the charge or given it the sanction of his name. He has only testified to a fact having connection with it, and instead of being a prosecutor, he is a witness—a distinction, to which no ordinary intemperance of zeal could have blinded Mr. Johnson.

These abortive attempts to justify the last election and to criminate all who were offended by its impurity, are preliminary to a formal vindication of the conduct and doctrines of the President, and to a studied and detailed misrepresentation of every feature in General Jackson's character, and every act of his life. In conformity with this division of his subject, Mr. Johnson imputes the general dissatisfaction which succeeded the first message of Mr. Adams "to unwarrantable inferences" drawn from some of his expressions by the "factious opposition;"—thus, notwithstanding his loyal hatred of military chieftains, adopting the old military maxim of carrying the war into the enemy's country. The phrase "palsied by the will of

Now suppose a man to come to his death by being poisoned with arsenic; and that a suspected person when arraigned for the murder, should, upon his first examination affirm, that the arsenic which he bought was all used in poisoning rats, and on his second, that he had bought no arsenic at all, would not his contradiction rivet on the minds of the jury a conviction of his guilt? And yet it is not so flagrant as that of Mr. Clay—for one branch of his is carried out into a complaint against "heated partisans," and into a claim to the refinement of "delicacy and decorum." Again,—He insists (p. 18.) that on the 15th Dec. when the vote of Louisiana and his consequent exclusion from the House, were only conjectured from report, not authentically known, and of course when he was but half transformed into an elector for the people, he told Mr. James Barbour, who had himself just been transformed from an "eager partisan" of Mr. Crawford, to an "eager partisan of Mr. Adams, that "in the event of the contest being narrowed down to Mr. Adams and General Jackson, he was in favor of Mr. Adams." And to prove still further his "tardiness," "delicacy and decorum," he avers (pp. 19, 20.) that immediately after the 20th of Dec. when Mr. Boulogny gave him the first authentic information of his exclusion from the House, and consequent transformation into "an elector for the people," he told General La Fayette "that he had concluded to vote for Mr. Adams." These contradictions carry the evidence against him as far as the force of moral proof can go.

our constituents," he declares, "has been torne from its context, misinterpreted; and used as the authority upon which the President is charged with the heresy, that the representative owes no obligation to the will of his constituents." The spirit of a recent convert seems here to animate the languid formality of Mr. Johnson's style, and there is something soft if not tender, in his lament, over the fate of this exquisite figure of Mr. Adams.—

"Oh, hadst thou cruel! been content to seize,
Hairs less in sight, or any hairs but these."

But Mr. Johnson has evidently nothing of poetry in his soul, but the fiction, and his sorrow will accordingly be found to be more causeless than that of Belinda. In that paragraph of the message which begins, "The spirit of improvement is abroad upon the earth," the representatives of the nation are told that Liberty is power; that the nation blessed with the largest portion of liberty," (intimating his inbred opinion that even the freest nation ought to be under a wholesome reservation of liberty by their rulers,) "must in proportion to its numbers, be the most powerful nation upon earth; and that the tenure of power by man, is, in the moral purposes of the creator, upon condition that it shall be exercised to ends of beneficence, to improve the condition of himself and his fellow men. While foreign nations, less blessed with that freedom which is power, than ourselves, are advancing with gigantic strides in the career of public improvement, were we to slumber in inolence, fold up our arms, and proclaim to the world, that we are palsied by the will of our constituents, would it not be to cast away the bounties of Providence and doom ourselves to perpetual inferiority?" It must be confessed that this passage, which would be as well placed on a page of Newton's Principia, as in a President's message, is sufficiently tumid and obscure, and not be charged with any very direct signification. But its import when carefully interpreted, certainly amounts to this. *There are two rules of political action for our government—one, derived, from that condition, (jure divino) which in the execution of his moral purposes the creator attaches to the tenure of power and the possession of liberty which is power, by man. The other, that which originates from the will of the people. Under the operation of the first rule, foreign nations enjoying less of that liberty which is power, than ourselves, and consequently less energetically impressed by the condition attached by the creator, to its tenure, are advancing with gigantic strides, in the career of public improvement and exerting their power to "ends of beneficence," in conformity with the moral purposes of our creator. If we do not also advance "with gigantic strides in the career of public improvement"—if we forbear to exert our power "to ends of beneficence," we shall "cast away the bounties of Providence and doom ourselves to perpetual inferiority to foreign nations." Shall revolt from the great rule which is imposed by the creator upon free nations, and shall in fact proclaim to the world that we are reduced by the will of our constituents, to a political impotence as feeble and uncouth as the muscular action of a palsied frame.*

It must be admitted that not only are the two rules here proposed, but that the power of contrast, and the effect of comparison are exerted to the best of Mr. Adams' ability to induce Congress to prefer the first and to despise the second. But in case Mr. Johnson should be disposed to dispute this point, it may be well to add a little more of the precious context from which this "morsel for a King" has been torn by the ruthless republicans. Mr. Adams proceeds—"In the course of the year now drawing to its close we have beheld, under the auspices and at the expense of one State of this Union, a new university unfolding its portals to the sons of science, and holding up the torch of human improvement to eyes that seek

the light. We have seen under the persevering and enlightened enterprise of another state, the waters of our western lakes mingled with those of the ocean. If undertakings like these have been accomplished, in the compass of a few years, by the authority of single members of our confederation, can we, the representative authorities of the whole union, fall behind our fellow servants in the exercise of the trust committed to us for the benefit of our common sovereign, by the accomplishment of works important to the whole, and to which neither the authority nor the resources of any one state can be adequate." Here evidently another standard of power is recommended to the Congress, hardly less indefinite and alarming than the former. It is urged that inasmuch as the authority and resources of Virginia and New York, have been adequate to the erection of a new University, and the completion of the Grand Canal, it is the duty of the representative authorities of the whole union to exercise power and resources sufficient for the construction of works and the expansion of improvement, as much beyond these particular enterprises as the resources of the whole union exceed those of either of these states. And the authority of the general government, instead of being measured by the grants and reservations of the constitution, is to be regulated by the inverse proportion which the whole confederacy bears to a particular state. Thus according to Mr. Adams the moral condition of our existence, and the physical circumstance of our union, conspire to absolve the representative from obedience to the will of his constituents. And it cannot fail to be perceived, that under his florid and umbrageous diction, lurks the offensive idea of patronizing the people and improving the states, which all men with a spark of freedom in their souls must abhor, as strenuously as nature does a *vacaum*. With equal zeal and success it is attempted to justify the terms of infinite assumption and imperious menace with which Mr. Adams reprehended certain proceedings of the state of Georgia. I have not before me that remarkable communication, but I am willing to take Mr. Johnson's extenuated statement of its substance, in order to prove how richly both its author and its advocate deserve the reprobation of an enlightened people. The latter says "he made an obvious though not an avowed reference to his oath of office, as imposing an obligation above all human law." Now this is either an intellectual absurdity or a political sin. The constitution of the United States, denominated by Mr. Johnson himself, "the supreme law of the land" prescribes certain duties for the President, among which is that of taking the oath of office. To say that the performance of this one duty imposes on the President an obligation above the supreme law of the land, and the very law which prescribes it, is to say that the creature is above the creator; and that the sanction of a religious ceremony to the obligation of the President to *preserve, protect and defend* the constitution, endows him with a right to violate his oath and to destroy the constitution. Again—to say that his oath of office imposes an obligation above the supreme law, or requires at his hand the performance of other duties, than those prescribed by the constitution, is avowing at once that this is not a government of laws, and that the executive branch is above the control of the constitution. In the first sense, the expression is absurd, in the second criminal, in both sufficiently offensive, and to be fair with Mr. Johnson, he is welcome to ascribe it as he pleases, either to want of sense or want of principle, in his hero.

In palliating the more questionable demerits of the president in regard to his equivocal support of that policy which inclines to an exorbitant tariff of duties on imports, for the purpose of encouraging domestic manufactures, Mr. Johnson shines more as a panegyrist than as an economist or civilian. All liberal men agree that error of opinion on this subject in-

volves no radical defect of principle. Large divisions of our territory and population, are the seats of adverse doctrines on this momentous and yet experimental matter, and as they are all animated by undoubted patriotism, there is every reason to hope that the true point beyond which the right of taxation vested in the federal government ought not to be carried, will be seasonably determined by the luminous collision of their respective systems. Already important light has been shed on the matter by the author of *BRUTUS*, in the *Charleston Mercury*. He maintains that the exercise of the taxing power was intended by the framers of the constitution to be confined to the purpose of revenue, and that whenever it might become expedient for the industry of any quarter of the Union, to encourage the production of a particular commodity, it was designed that the state or states interested therein, should assume the qualified exercise of taxing power, "with the consent of Congress, and on condition, that the duties so raised should be paid into the Treasury of the United States." Whoever reads his essays will feel persuaded that his explication of many important questions involving the powers of the General Government, is both original and profound, and promises the establishment of a fiscal policy consonant to the spirit of the constitution and conducive to the preservation of the Union. I wish it could be said that either of these great objects was likely to be advanced by the dissertation of Mr. Johnson the polarity of whose mind seems insensible to their high attraction, and to turn with trembling constancy to the foot of the throne. The right of the government, accordingly, he deduces from its practice, as an attorney establishes principle by precedent, and as if the government of the United States were to improve every thing but its own practices. He insists that the doctrine of indirect taxation was practised upon by the Administration of Washington, and by that of all his successors—giving into a fallacy which though it makes his argument plausible, renders it unsound.

The power of taxation, like other powers vested in the general government, has an object *direct* and objects *resulting*. Its *direct* object is the raising of revenue : among its *resulting* objects is the encouragement of domestic manufactures. This is clearly secondary in intention and subordinate in importance to the first object. It must accordingly be increased or diminished, as the scale of taxation is enlarged or contracted. But it is an inversion of the order of things, as well as a perversion of the meaning of the constitution, to say that the scale of revenue is to be enlarged not to supply the necessary expenses, or to pay the debts of the nation, but to increase the *resulting* action of the taxing power—a power which plainly would never have been intrusted to the general government but for the necessity which exists in all governments for its *direct* object, revenue. Hence it does not follow, as Mr. Johnson labours to shew, because General Washington established a tariff of duties, and succeeding administrations increased it, that his policy and the policy of his successors was, in this respect, the same. General Washington's policy went no further than the *direct* object of the taxing power required. The lightest duty on the importation of English boots communicates some degree of encouragement to American boot makers and tanners ; and as that no similar duties must be imposed in order to provide in the most convenient way for the expenses of government, it is certainly a mitigation of the necessary evil of taxation, that a useful branch of domestic industry should be promoted by it. But the mitigation of an evil does not make it a good. And the objection which lies against the policy of Mr. Adams, and in a less degree against that of Mr. Munroe, is, that it proposes to exercise the taxing power not for its *direct* object, and no doubt constitutional end, but for its *resulting* objects—not for a sufficient revenue, but for a multitude of manufactures ; thus trans-

cending the particular design and violating the general spirit of the constitution, by taxing one part of the community for the benefit of another; making the relative condition of the Southern States worse than it was before the union, giving the manufacturing States greater privileges than they would have enjoyed without it; and burthening a great, salutary and venerable branch of human industry for one less extensive and less favorable to the physical wants and moral condition of mankind.—Let the report of Mr. Secretary Rush, in which he proposes the artificial and oppressive system of England as a model for the financial policy of this country, and talks about *regulating* every fibre of labor, and every species of property in this vast confederacy of free States, by a nicely balanced machinery of encouraging taxation, be examined, and the inordinate and unconstitutional excess of Mr. Adams' policy in the employment of the taxing power, will at once be perceived.

Nor, will the force of this contrast be at all weakened by the fact which Mr. Johnson relies on—viz. that the law of '89, laying the first duties imposed under the constitution, and advocated by Mr. Madison, then a member of Congress, recites in its preamble, that the laying of duties "was necessary for the support of government, for the discharge of the debts of the United States, and the *encouragement and protection of domestic manufactures.*" The government was then new and just getting into operation. The important and searching power of taxation was then first to be applied to the inhabitants and property of a number of free states who had confided it reluctantly, with many misgivings and hesitations, to the federal head. Under these circumstances, it was the duty of Congress, and no doubt their aim, to make the first act of taxation as palatable as possible, to recommend it as strongly as they could to the people, upon whose opinion they knew the whole fabric of government rested. They therefore recited in the preamble, the two great circumstances which rendered taxation necessary, and the one which was most likely to render it acceptable. The first was addressed to their patriotism, the second to their honor, the third to their interest—powerful appeals to paramount motives. This was the object of the preamble, as the least insight into the circumstance of the period would have taught Mr. Johnson, and as is apparent from the fact, that subsequent bills of revenue contain no such recitations. It is hard to forbear a smile at reflecting on the derisions and surprise with which the sages of '89 would look on this attempt to legalize a broad and encroaching system of policy, not by expounding the terms of analysing the spirit of the constitution, but by italicising a phrase "torn from its context" in the corner of a preamble to an act.

But he contends that whether Mr. Adams be right or wrong in respect to the tariff, or his "ineffably gigantic" schemes of internal improvement, his friends may applaud and the nation trust him, because his opinions are at least as right as those of General Jackson. This, although it will turn out to be an improvement upon the old absurdity of *ignotum per ignotius*, is probably the most fair and formidable inference in the address, for, as Hooker has said, that *change even from the worse, is sometimes inconvenient*, there might be some color of reason in advising the American people to rest satisfied with Adams, seeing that Jackson's opinions coincided with his. But unfortunately for Mr. Johnson, even this slender argument is denied him by the assertion of the Richmond meeting, by which his convention stands publicly affiliated, and to which he sent in his memorable adhesion. That assertion is not disavowed or disputed, and is of course adopted by Mr. Johnson's address, and it declares that "Gen. Jackson shrouds his opinions of the tariff in impenetrable mystery." While these opinions are thus concealed in "impenetrable mystery," how does Mr.

Johnson discover that they coincide exactly with those of Mr. Adams? The detection of such an insidious inconsistency as this, in the grave, earnest and public affirmations of a man of Mr. Johnson's standing, must affect even his adversaries with more regret than pleasure; and excite a feeling of tender abhorrence, like that which induces us to pity and approve the execution of a criminal.

Having with these infelicitous errors, both of argument and assertion, endeavored to justify the doctrines of Mr. Adams, (avoiding carefully all mention of "the constitutional competency," and having enjoined upon the American people (what was no doubt modestly meant) the duty of applying to the consideration of the President's conduct, that indulgent rule of construction which insures impunity to guilt rather than security to innocence. Mr. Johnson proceeds with a sudden change of temperature, to make a portentous reference to the vast and delicate duties of the chief magistrate, and fierce allusions to the temper and actions of General Jackson. No part of the address discovers a colder prejudice or a more fervent loyalty than this. The Richmond, is like the Roman courtier, in *odio servus, blandiloquentia comis*. It is really surprising to see the same pen running with the lightness of Camilla's step over the faults of the man in power, and faling with the demolishing tread of an elephant on the virtues of a private citizen. Like the "lithe probosis" of that shrewd animal, however, it handles tenderly what is frail, and what is sound, rudely; and the quick-sighted people of Virginia will neither be inflamed into injustice by Mr. Johnson's violence, nor deceived into submission by his gentleness. As if emphasis were not ridiculous in *state* misrepresentations, and a tone of deep-mouthed vituperation natural to those whose accusations are unsupported by fact, he tells them with an air of amazing confidence, that General Jackson has "trampled on the laws and constitution of his country, has sacrificed the lives and liberties of men, and made his own arbitrary will the rule of his conduct." But his fundamental position is this—"capacity for civil affairs in a country like ours, where the road to preferment is open to merit in every class of society, is never long concealed, and seldom left in retirement." It is then added, that "General Jackson has lived beyond the age of sixty years, and was bred to the profession best calculated to improve and display the faculties which civil employments require; but the history of his public life in those employments is told in a few brief lines in a single page of his biographer. He filled successively and for very short periods, the office of member of the Tennessee Convention, which formed their State Constitution, Representative and Senator in Congress, Judge of the Supreme Court of Tennessee, and again Senator in Congress of the United States." Where a man is so *very* didactic as Mr. Johnson is, accuracy of knowledge and precision of detail might be expected. But these humble constituents of truth lie far beneath the range of his romantic fancy, as the reader who chooses to consult Eaton's work will find.* The account of Jackson's "civil employments" is not contained on a "single page" of that work, and Mr. Johnson's summary of it is defective as to the very important office of Attorney General, which Washington, no mean judge of merit, himself conferred. But if we admire the fidelity of his statements we shall be amazed at the accuracy of his reasoning. He concludes, that as capacity for civil offices is in this country

* See pages 17, 18. General Jackson, though no set-fast in office, was eight years Attorney General of the Territory, and six years Judge of the highest court of the State. His resignation of this last station was accepted on the 24th July, 1804, thirteen days after Hamilton was shut by Burr, and a year at least before the appearance of Burr in the Western country, with whom, as a Judge, the secret slanderers under the management of Mr. Johnson, attempt to associate him.

"never long concealed and seldom left in retirement," the frequent appointment and repeated election of General Jackson is proof positive of his notorious incapacity to fill them. There is something transcendental in this syllogism. And if we reflect that in addition to Mr. Johnson's corrected list of civil offices, General Jackson has filled the important ones of commissioner for receiving the cession of Florida, of Governor of that Territory under the Spanish laws, and negociator of several of our most important Indian treaties, that he never solicited an office in his life, or abused the confidence which his constituents reposed in him—that Mr. Adams never filled one which connected him immediately with the people, the great central fire which distributes warmth and life to our whole system; and that his services were recommended to one party by descent, and to the other by purchase, its value as a political argument may be correctly estimated. The evident distortion of Mr. Johnson's judgment seems to be chronically confirmed by the fact, that General Jackson resigned several of these offices, manifesting a preference for private life, in unison with the taste of Cincinnatus, of Washington, and of all the greatest patriots of the world, and in opposition to that low ambition which cannot exist out of the purlicus of the treasury. The classical reader will remember how the Roman writers celebrate the reluctance with which the *Dictator ab Aratro* left his farm, and the satisfaction with which, crowned with laurels, he retired to it. The same disposition was seen and admired in our beloved Washington. In a letter to a member of Congress, who was persuading him to accept the office of President, then just created, he thus expressed himself: "You are among the small number of those who know my invincible attachment to domestic life, and that my sincere wish is to continue in the enjoyment of it solely, to my final hour. My increasing fondness for agricultural amusements, and my growing love of retirement, augment and confirm my decided predilection for the character of a private citizen." And he concludes—"You will perceive, my dear sir, from what is here observed, that my inclinations will dispose and decide me to remain as I am, unless a clear and insurmountable conviction should be impressed on my mind, that some very disagreeable consequences, must in all human probability result from the indulgence of my wishes." This letter was written when Washington was in his 57th year, and Jackson was 58 when he made his last and most splendid resignation. This is the temper and these are the habits that render "military chieftains" the defenders of the republic in war, and its guardians in peace; and it is not the least extravagant of Mr. Johnson's paralogisms, that in the same breath he should descant on the dangerous influence of military renown, and reproach its possessor with an obstinate predilection for private life. Mr. Clay and Mr. Adams, it is true, have never yet offered to the world that best and most lovely evidence of merit, which modesty displays, have never resigned one office without the prospect of another, and are not likely to impose on their eulogists the task of portraying the grand but quiet virtue of disinterestedness. Yet, Washington, the military chieftain, served eight years without giving reason to doubt his wisdom or integrity, while Messrs. Adams and Clay, the diplomatist and the orator, have effected in less than half that time, a general conviction that they are destitute of both.

But, says Mr. Johnson, General Jackson not only "resigned three, but passed through all these offices, acknowledging his unfitness in two instances, manifestly feeling it in all, and leaving no single act, no trace behind, which stamps his qualifications above mediocrity." Such allegations as these are enough (to use Mr. Johnson's peculiar dialect) "to stamp their author below mediocrity"—as they abound in misstatement and misconception. An individual is appointed to one office, and successively pro-

noted to two others, and because he vacates the subordinate ones in order to reach the highest in the series, these acts of resignation are interpreted into a confession of his own unfitness. Did Mr. Clay acknowledge his unfitness for the Speaker's chair, when he resigned it and took office in the cabinet of Mr. Adams? Does a Colonel evince a conscious incapacity when he accepts the commission of General? General Jackson resigned his seat in the House of Representatives to fill a place in the Senate, and this station he resigned with a patriotism and liberality highly honorable to him, to make room for General Daniel Smith, his neighbor and friend—a gentleman whose superior age and scientific attainments gave him peculiar claims to public confidence, and inspired a hope that he would prove a useful accession to the party which was then opposed to the administration of the elder Adams. This disinterested act, which few of the many who can make long speeches, would be capable of, is urged in the address as further proof of incapacity, and the formidable array of evidence to that point, is completed by the assertion that “no trace,” that is, no speech is left behind him in his civil career, placing him above mediocrity. But before the conclusion here designated can be admitted, it must be ascertained whether a long speech in Congress, is not in nine cases out of ten, at least a proof of mediocrity.* A member of Congress, who, without the possession of rare oratorical powers, makes long speeches, is known to have given full exertion to his abilities, and has no claim to a reputation higher than that which is acquired by a large portion of his comrades. Whereas a silent member is regarded as possessed of such strength of mind and dignity of taste, as to disdain the slender repute which one or more speeches create, and is, for that very reason, considered far above mediocrity. When Patrick Henry was asked “who he thought the greatest man” in the famous Congress of ’74, from which he was just returned, he replied—“If you speak of eloquence, Mr. Rutledge of South Carolina, is by far the greatest orator; but if you speak of solid judgment and sound information, Colonel Washington is unquestionably the greatest man on that floor.”† Yet Washington “passed through and resigned” this and other civil offices, without leaving “a trace” behind, which in the accurate style and estimation of Mr. Johnson, “stamped his qualifications above mediocrity.” It is rather unfortunate for one, who undertakes to instruct the people of Virginia, that his most oracular opinions should conflict with the dictates of common sense—the judgment of Patrick Henry, and the example of Washington.

The temper of General Jackson is said to be as unsuitable as his capacity, and “the spirit of domination displayed in his celebrated letter to Gov. Rabun,” is referred to as evidence that the office of President should not be entrusted to his “impetuosity of temper” and “fiery misrule.” In a deep prophetic tone it is added, a foreign war may come, may rage with violence, and may find General Jackson at the head of the civil government and commander in chief of the land and naval forces. Dissentient views among the statesmen may arise—controversies grow up between the state and federal authorities—as discussions and controversies have heretofore arisen—and who then, we pray you, can answer for the consequences of that spirit which said to Gov. Rabun, “when I am in the field you have no authority to issue a military order.” It may be thought singular that Mr. Johnson, after having so bitterly reviled and lamented the unfairness of tearing “from their context” the expressions of the President, should when urging a charge so personal in its nature as this against his rival, and attaching to it, as a consequence, “the dissolution of the Union,

* Frank Johnson made a speech five days long.

† Wirt's life of Henry, page 113.

and death to the hopes of every free government upon earth," be guilty of this very unfairness himself with a violence too, which cannot be conceived without attending to the following summary of facts:

When General Jackson assumed the direction of the Seminole war he found General Gaines near Hartford, in Georgia, at the head of the contingent force of that State, which he speedily put into motion. Advancing with his raw force of one thousand men, in the direction of Fort Scott, he passed on rude rafts and scarce practicable routes, the fenny swamps and flooded rivers of that region, impelled by the energy of his character and the hope of finding the supplies which had been ordered there, at Fort Early. But when he reached that place, the danger of famine was not abated, there being only a barrel and a half of flour and a few bushels of corn in the Fort. In the neighbourhood lived a small tribe of Indians, the Chehaws, whose friendship, though doubted, now proved sincere. To these sons of the forest in his extremity, he applied, desiring them to bring in such supplies of corn, peas and potatoes as they could spare, and promising liberal pay for them. They immediately brought a small supply, and on the General's encamping near their village, which lay directly in his route to Fort Scott, their aged Chief, Howard, the survivor of many wars with the kings of the forest and the foes of his tribe, received him as a brother, and the simple-hearted community emptied almost to exhaustion, to relieve the wants of their guests, the small stock of food which had been collected for their subsistence through the winter. Enthusiasm succeeding their kindness—the few warriors of the village joined the American standard, and it was only in compliance with Jackson's request, that the grandson of Howard, a youth of eighteen, was left to assist that patriarch of the woods, in attending to the old men, women and children. Thus confiding in the honor of General Jackson, and in the faith of the United States, the Chehaw villagers were left in complete exposure. But what had they to apprehend, or what had General Jackson to apprehend for them? To the commanding officer of the small garrison left at Fort Early, he had given instruction to consider the Chehaws as friends, and there was no power behind him that could be dangerous to the allies of the United States. Having clasped the right hand of Howard in friendship, marshalled the warriors of the tribe, and assured the women of peace and protection, who, with their "young barbarians," witnessed his departure, he hastened onward to the theatre of war.

Where the lion walks harmless, the wolf prowls most ferociously. A Captain Wright, of the Georgia militia, upon some false information, conceived and communicated to the Governor, the impression, that after the march of General Jackson from the vicinity of Hartford, hostilities had been committed on that section of the frontier by the Philonees and Oponees—subordinate or rather incorporated septes of the Chehaw tribe. The Governor, on this erroneous representation, issued a very inconsiderate order, empowering the Captain to march at the head of two companies of cavalry, and such infantry as could be drawn from the garrison of Fort Early, against the supposed aggressors. It was in vain that the commanding officer there assured Captain Wright of the friendship and innocence of the Chehaws, and informed him of their recent aid and hospitality to General Jackson. But why prolong the dreadful recital! The Governor's party had the power and the will to destroy. They burst like a tempest on the devoted village. Helpless age and unresisting infancy they confounded in one torrent of destruction. The bayonet, red with the blood of the infant, was plunged into the breast of the mother. The aged Howard supported by his grand-son, advanced with a white flag, and was shot with that emblem of faith and peace in his feeble hand. The same

cruel volley despatched his grand-son—the village was given to the flames—the women and children to the edge of the sword, or they fled from instant slaughter in terror and exile, to famine. Wilder scenes of desolation have indeed been spread on the face of the globe, when Hyder descended like a thundercloud from the mountains of Mysore, upon the plains of the Carnatio—or when Turreau left La Vendee shrouded in solitude and ashes. But a deeper stain of dishonor or a more intense visitation of woe was never seen or inflicted, than at the secluded village of the Chehaws. The massacre of Wyoming was mercy to it, and the revenge of Brandt far less cruel than this amity of the United States. It violated at one blow, humanity, friendship, and the faith of treaties—the obligations of justice, gratitude and honor—and involved in its consequences the disgrace of the nation, the murder of our citizens, and the probable renewal of the war, which was then almost concluded. Against this shameful outrage, the heart of Jackson arose, and he resented it with indignation, but not without dignity, complaining to the executive of the United States and remonstrating with that of Georgia. To the former he says, (7th May 1818.) “The outrage which has been committed on the super-annuated warriors, women and children of the Chehaws, whose sons were then in the field, in the service of the United States, merits the severest chastisement. The interference too of the Governor of Georgia, with the duties imposed on me, claims the early attention of the President. All the effects of my campaign may by this one act be destroyed, and the same scenes of massacre and murder with which our frontier settlements have been visited, again repeated.”* To the latter (May 7), after referring to the massacre as “base and cowardly,” and to an enclosed copy of General Glascocks letter detailing it, he observes “That a Governor of a State should make war against an Indian tribe at perfect peace with and under the protection of the United States, is assuming a responsibility that I trust you will be able to excuse to the United States, to which you will have to answer,” and he adds, “you as Governor of a State within my military division, have no right to give a military order when I am in the field.” This last is the phrase which Mr. Johnson has “torn from its context,” and repeated with an aggravating abbreviation, and in alarming italics.

* General Jackson was informed of this calamity by a letter from General Glascock, dated the 30th April 1818, written at Fort Early on his return to Georgia, with the contingent of that state. The following is an extract: “On arriving within thirty miles of the Chehaw village, I sent on Major Robinson, with a detachment of twenty men, to procure beef; On his arriving there the Indians had fled in every direction, the Chehaw town having been consumed about four days before, by a party of men consisting of 200, under Captain Wright, now in command at Hartford. It appears that after he assumed the command of that place, he obtained the certificates of several men on the frontier, that the Chehaw Indians were engaged in a skirmish on the Big Bend. He immediately sent or went to the Governor and obtained orders to destroy the town of Phelence and Oponee. Two companies of cavalry were immediately ordered out and placed under his command, and on the 22d he reached this place. He ordered Capt. Bothwell to furnish him with twenty-five or thirty men to accompany him; having been authorized to do so by the Governor, the order was complied with. Captain Bothwell told him that he could not accompany him himself; disapproved the plan and informed Capt. Wright that there could be no doubt of the friendship of the Indians in that quarter, and stated that Oponee had on that day, brought in a public horse that had been lost. This availed nothing, mock patriotism burned in their breasts. They crossed the river that night and pushed for the town. When arriving near there, an Indian was discovered grazing some cattle; he was made a prisoner. I am informed by sergeant Jones, that the Indian proposed to go with the interpreter and bring one of the chiefs, for the Captain to talk with. It was not attended to—an advance was ordered—the cavalry pushed forward and commenced the massacre. Even after the firing and murder commenced, Major Howard, an old chief, who furnished you with considerable corn, came out from his house with a white flag. It was not respected; an order for a general fire was given and nearly four hundred guns were discharged at him before it took effect. He fell and was bayoneted. His son, grand son) was also killed.” After continuing such horrid details as above, General Glascock adds, “Since then, three of my command, who were left at Fort Scott, obtained a furlough, and on their way to this place, one of them was shot.” So that the outrage produced by the order of the Governor of Georgia, was already being retaliated on his fellow citizens.

"*When I am in the field you have no right to issue a military order.*" Now, although the negation may at first appear too general, yet the context plainly limits it to the *field* of command on which Jackson was then employed. It obviously was not his intention to say that the Governor had no right to regulate the militia concerns of his State, or to order out quotas in the service of the United States, but that he had no right, as Governor of Georgia, to interfere with his duties, by operations extraaneous to the sovereignty of the State, and hostile to the Indians at peace with and under the protection of the United States. In this he was perfectly right, and evinced a disposition to preserve rather than to disturb the harmony so desirable between the States and the general government. The power of making war is vested exclusively by the constitution in the federal government, and the equivalent duty imposed on it of guaranteeing the integrity and independence of the several States. This duty, the federal government was then in the act of discharging in favor of the State of Georgia; and yet, according to Mr. Johnson, the Governor of Georgia was to interrupt its military operations, and to murder its friends and allies, without the voice of remonstrance or admonition. Let us suppose for a moment, that after General Brown had concluded a friendly agreement with the Buffaloe Indians, and with their supplies of provisions and men, had invaded Canada. Governor Tompkins had come on his track, burnt the friendly village, and destroyed or dispersed its inhabitants. Would it have been an unpardonable offence in General Brown to remonstrate against that outrage, and to inform Governor Tompkins that he had transcended his authority? Would it have displayed a "dangerous spirit of domination," or an honorable feeling of justice and humanity? And would it have exposed Gen. Brown to the suspicion and execration of his fellow citizens, or entitled him to their approbation and support? Mr. Johnson's acquaintance with history will remind him that the taking of Saguntum, while in alliance with the Romans, was the immediate cause of the second Punic war, and that the destruction of that city excited a dignified resentment in the Roman people, which defeat after defeat, and slaughter after slaughter, could not subdue, and gave a moral interest as well as a political force to the vengeful expression of the elder Cato, "*de-lenda est Carthago.*" Not to mention other examples of feeling repugnant to the sentiments with which Mr. Johnson contemplates the sensibility of General Jackson for the fate of the Chehaws, the pride which on a late occasion England took in stretching forth her power as an agis over her "ancient ally" may be cited—when Mr. Canning, as the organ of his country, declared to the nations in a tone of generous defiance, *that when the march of foreign conquest touched the frontiers of Portugal, it must stay its haughty step.* Yet, while we admire the spirit of the Roman people and of the English Statesman, we are persuaded to believe, by Mr. Johnson and his star chamber judges, that when our own patriot protested against an outrage on humanity a violation of faith, and usurpation of authority, acquiescence in which would have stained with disgrace our common sense, our common nature and our common country, he displayed a "fiery misrule of temper," and "a dangerous spirit of domination."

It may perhaps, be within the extensive circle of his sophistry to contend that the Governor of Georgia, as the head of a sovereign state, had a right to make war on the Indians, the right of war being an incident inseparable from sovereignty. Waiving the constitutional pact between the states and the federal government, and the laws of Congress, placing the Indian tribes under the control and keeping of the United States, which would at once defeat this course of argument, it will be enough to observe, that even if the Governor had the right of waging this

war, he was bound to prosecute it according to the law of nations and the usages of war. These would have rendered it his duty to ascertain first, whether the injury he complained of was really committed by the Chehaws—and if it were, secondly, whether the authorities of that tribe would make or refuse proper reparation. This is the practice of all civilized states—is that of the United States—and was exemplified in the late disturbance with the Winnebagoes. So that, conceding the right of war to the Governor, his violation of the laws and usages of war to the injury of the Chehaws, justly exposed him to the remonstrances of General Jackson, who, as an officer of the United States, the guest of the venerable Howard, and the commander of the Chehaw warriors, was in strict alliance with that tribe, and bound to protect it. The fact is, that the Governor of Georgia was for a time, so infatuated, as to consider his official dignity invaded, and his power encroached upon by this remonstrance of the General, and under that impression wrote a letter to him, reminding him of Georgia's "bleeding frontier," and taunting him with affecting "a military despotism." The fact is too, that this his letter, made its gasconading appearance in a Georgia Journal, before it was received by the General, and fell into disreputable oblivion soon after. And the probability is, that Mr. Johnson, who though prodigal in charges, is penurious in proofs, has been guided to this buried slander by a sense for defamation as keen and creditable as that which leads certain winged *gnostics* to the carcases of the dead. But it has as little truth as fragrance. For from the time the Georgia Brigade encamped on the Oakmulgee, and under the conduct of General Jackson, marched by the way of Fort Early to Fort Scott, up to the close of the war, the southern frontier of that State could neither have bled nor been exposed. A thousand men either stationed on that frontier, or penetrating from it into the Indian country, naturally bore off any thing like hostility; and accordingly General Jackson met with no opposition until he reached the Mickasuky towns, at least 150 miles south of Hartford. Besides, the Tennessee contingent consisting also of 1000 men, had marched on the 14th of February from Fayetteville in Tennessee, under the command of Colonel Hayne, of the United States Army, and after reaching Fort Mitchell, on their way to join General Jackson at Fort Scott, had from information that their rations which had given out could not be replenished in the direction of Fort Scott, filed off to the left, and by a route nearly parallel to the advance of Jackson,* had passed into Georgia, at Hartford; where Colonel Hayne with 400 men remained for the protection of that frontier, until after the period of which Governor Rabun represented it to be "bleeding."* There could therefore have been no real cause, as there was no possible justification for the attack on the Chehaws; and of this the Governor himself was soon sensible, for in a letter of the 11th May, from Milledgeville, General Glascock says to General Jackson—"I had an interview with the agent and the Governor, and they have concluded that a talk will immediately be held with the chiefs of that place—ascertain the amount of property destroyed, and make ample reparation for the same. This is at once acknowledging the impropriety of the attack, and not in the least degree throwing off the stigma that will be attached to the State."

The next charge is headed with the following important dictum. "Military men should never be allowed to forget that the obligation to obey, being the sole foundation of the authority to command, they should incul-

* See the despatch of General Jackson to the war department of the 25th March, from Fort Gadsden, three weeks before the massacre of the Chehaws, and also his letter of the 11th of August to Governor Rabun.

cate subordination not by precept only, but by example." And it is alleged that in defiance of it, General Jackson has committed a threefold offence. "He has offered indignity to the Secretary of War in the very letter assigning his reasons for disobeying the order to disband his troops—he has placed his own authority in opposition to that of the War Department, by a general order forbidding the officers of his command, to obey the orders of the Department, unless they passed through the channel which he had chosen to prescribe—and he disobeyed the order of the Government in his military operations in the Spanish territory." Sweeping charges are almost always unfounded, because in order to make them plausible it is necessary to suppress the very circumstances which qualify the actions they inculcate. In the precise tone of Mr. Johnson, an English essayist might say that the Congress of '76 offered an indignity to the *King of Great Britain, in the declaration of independence assigning their reasons for disobeying his authority.* Every case of the kind is characterized only by its circumstances, and when an expert disputant trained to the tricks of the forum, advances a charge and omits the circumstances explanatory of its foundation, it is strong evidence that he is himself conscious of its injustice. Now it turns out that the alleged disobedience of General Jackson was justified by the circumstances of the case, was approved by the government and sanctioned by events. Under the acts authorising the President to accept the services of 50,000 volunteers, General Jackson, then commanding the 2d division of that militia which he soon rendered so famous—tendered to the Government of the United States the services of himself and two thousand five hundred men of his division, and the tender was accepted. The detachment having been embodied and organized, was ordered to proceed by water to New Orleans. Subsequently to his departure, General Jackson was advised to halt near Natchez, and in compliance with it, he took a position in the neighborhood of that city. Here while attending to the health and discipline of the corps, he received the laconic mandate from the War Department, with disobedience to which he is so grievously reproached. It is first to be noticed, that as all men have some degree of fallibility, and some degree of discretion, and as the imperfections of language and the interposition of distance, give ample scope for the operation of both, it may well happen that the non-execution of an order is the best possible mode of obeying the government. When an officer receives an order, which the exercise of a sound discretion convinces him, would not have been issued had the condition of the circumstance in which it was to operate been known to the authority from which it proceeded, the spirit of his duty comes in direct opposition to the letter of his order. Obedience in such a case, consists not in a blind submission to the words, but in a zealous fulfilment of the intentions of the government. The order of the Emperor, it is true, authorized Grouchy to continue his unprofitable contest with the Prussians, but the spirit of his duty required his presence and exertions at Waterloo. By disregarding the signal which recalled him from fight, Lord Nelson fulfilled the wishes of his Government, shook the throne of Denmark, and shattered the confederacy of northern powers. So obvious is the distinction between nominal and real obedience, that it could not have escaped the attention of Mr. Johnson, but for the loyal amazement with which he is affected at the idea of indignity to the head of a department. This seems to overcome all his better faculties, and to leave him nothing but the powers of gufflection and obloquy. He forgets that an order may be obscure, and therefore liable to misconstruction, and that it may contain imperfections of date, or expression which bring into doubt its genuineness. In the case now considered, all these causes

operated against a strict execution of the order. General Jackson could not be easily convinced that it was the intention of the President, after accepting the services of his volunteers, and removing them six hundred miles from their homes in an inclement season, pregnant with disease, and beyond a vast wilderness filled with hostility, to deprive them of food to save them from hunger—to strip them of tents to cover them from the weather, and of arms to defend them from savages. Yet, on the 15th March, he received the duplicate of an order addressed to him at New-Orleans, requiring him, “on its receipt, to consider his corps dismissed from public service,” and to “deliver over to General Wilkinson all articles of public property which may have been put into its possession”—not leaving the men a mouthful of food—in the hands of the detachment a musket or cartridge—in the possession of the corps a single tent or wagon, or the smallest accommodation for their sick, of whom there were more than 150. He received another copy of the same order, which was dated nearly a month earlier (before General Armstrong, whose signature it bore, had come into the war department,) and contained variations of expression which made it appear not to be an exact copy. However he determined to obey it with as much exactness and as little delay as possible. He saw, what Mr. Johnson does not perceive, that its declaratory part effected itself. He and his detachment were dismissed the service of the United States. The order was not a direction to disband, but a notification of dismissal, so far effected itself, and required in no degree the agency of General Jackson. This Mr. Johnson may assure himself of by conceiving that General Jackson, or any other General, were directed to *consider himself and his corps engaged with the enemy*, and reflecting whether that would be deemed an order for attack. Its mandatory clause relating to public property and admitting of some exceptions, he conceived it his duty, both to the government and to his men, not to carry into full execution. Viewing ours as a just and paternal government, he considered his detachment pretty much as the law considers a pre-terminated child, and determined to do that for his men which the government had, it appeared forgotten to do. In a letter to the Governor of Tennessee, under whose authority the order of the Secretary had replaced him, he says, “I have, however from the necessity of the case, determined to keep some of the tents, and to march the men back in as good order as possible, and I will make every sacrifice to add to their comfort. I have required of the contractor here twenty days rations, which will take my men to Colbert’s; and I must trust in Providence and your exertions to furnish them with supplies from there to Nashville.” To General Wilkinson who had enclosed the order, he says, “I have had the honor of receiving your letter of the 8th inst. with its enclosures, containing directions for me to deliver over public property to you, which is in possession of my detachment. The order will be complied with, except a small reservation of tents for the sick, and some other indispensable articles. I acknowledge the order was unexpected; but I coincide with you in sentiment that those who are bound must obey.” Let the reader recollect that the law under which the services of this corps had been accepted, made the arms and accoutrements of the soldier his private property at his discharge—operating like a bounty on enlistments—that of course Gen. Jackson had no right to apply it to this species of military property, and that he only suspended its execution so far as to retain a few tents and other articles indispensable to the care of the sick, until he could get his corps through the wilderness, which was already the scene of those Indian murders that soon brought on the Creek War. That to effect this patriotic and honorable purpose, he borrowed 5000 dollars on his own private

account*—and that the government itself sanctioned his proceeding, and then determine the degree of credit to which Mr. Johnson's charge is entitled. Let it be also remembered that this chivalric corps contained the Coffees and the Carrols, who fought wherever they could find a foe, and the Lauderdales and the Donelsons who fell with so much glory and that had Gen. Jackson, through fear of "indignity," *disbanded* his troops and left them uncovered, unfed, undefended victims to disease, to want and to murder, the patriots of Tennessee would have been justly disgusted with a service, which, when inspired with gratitude and affection for their faithful leader, they adhered to with such signal zeal and triumphant efficiency.

It appears, then, that so far from deserving censure for the modified execution of the order in question, he merits the praise of prudence and generosity, and is entitled to the gratitude of his country for that seasonable and enlightened independence which had the effect of attaching to him and to her the materials of future safety and honor. As to the *indignity* offered to the Secretary of War, at which our modern Macsycophant is so bustling and *booing*, it is probable that the Secretary, who was by no means dull of apprehension did not perceive it. But if he did, he could only consider it a private injury, as, by his own act, General Jackson was no longer under his authority; and was, therefore, out of the rule of obedience, upon which Mr. Johnson founds the right to command. His letter, after representing the discrepancy between the date of the order, (5th Jan.) and the official notification of Gen. Armstrong's entrance into the War Department, (3d Feb.) assures the Secretary of his determination "to obey the order, and to deliver over to the quarter master of the department all public property in my hands that can be spared from the convenience and health of my men, on their return to Nashville; it being the place where they were rendezvoused by the orders of the President of the United States; and to which place I shall march them as soon as the necessary supplies can be had for the purpose." He then expatiates on the loss of public spirit and of patriotic lives, and on the great distress which would attend the immediate dispersion of his men—expresses his conviction that their arms belonged to them, and his surprise that an order so neglectful of their feelings and interests, should have been traced by the hand "of an old revolutionary soldier, who knows the privations of a soldier's life; who exercised his talents, (not at a very prudent moment) in their behalf, at the close of the last war." Now this, so far from offering an indignity, really conveyed a delicate allusion to the Newburg letters. Gen. Armstrong had not the folly to consider it an indignity, and Gen. Jackson being out of service, not the right to consider it an offence. He was, no doubt, gratified at his prudence in not putting that interpretation on his laconic order, which might have been a natural one in situations so safe, near and plentiful as Niagara and Norfolk, but which would have been incalculably distressing to the Tennesseans at Natchez. When it is taken into consideration too, that the tender of this corps had been accepted in August, that they had been assembled in December, had embarked on the Cumberland in January, that after voyaging, often through floating ice and stormy weather, more than 1000 miles, they had encamped near Natchez on the 21st February, and had then been dismissed without ceremony or accommodation on the 15th March—the reader will be apt to conclude that more moderation on the part of Jackson, would have been mean spirited, would have betrayed a want of that sensibility to the claims of friendship and neighborhood and fellowship, which he so heroically felt—which did him so much honor as a man, and were so fortunate in the event to his country.

*Of a merchant of Natchez.

The winding course of Mr. Johnson's defamation, brings next into view the charge of disobedience to the War Department, in the shape of "a general order;" and if a man can lose reputation by making unjust attacks upon the fame of another, it will tend as little to his honor as those which have already been refuted. The circumstances explaining this case are the following:—while Gen. Jackson was in the service of the United States, it occurred several times, and at seasons of the greatest pressure, that officers to whom he had assigned important duties, were silently withdrawn from their posts by orders from some subaltern in the line, stationed as a deputy in the adjutant and inspector general's office, at Washington. On the 1st of October, 1814, for example, just a fortnight after the first attack on Fort Bowyer, and while the whole British armament was hovering between Mobile and New Orleans,* an order was issued from the War Department, signed John R. Bell, deputy inspector general, directing Col. Sparks, and the officers of the 2d regiment, including the gallant Major Lawrence, to proceed forthwith on the recruiting service! This order was received while Gen. Jackson was effecting the timely expulsion of the British from Pensacola, and had left Mobile in charge of Col. Sparks, and Fort Bowyer in that of Major Lawrence.—With commendable prudence these officers declined obedience, and remained at their posts. General Jackson complained of it to the government, pointed out the serious consequences that might have been produced by it, and suggested the propriety of communicating in future, all orders to his subordinates through him, inasmuch as his capacity to defend the extensive and defenseless line of territory committed to his charge, would be destroyed, if the officers on whose vigilance and exertions he depended were removed from their stations without his knowledge.

This representation received no effectual attention from the government and the anomalous practice it condemned, continued at intervals to prevail. A forcible instance occurred in the person of Major Long, who having reported himself under a regular order to Gen. Jackson for duty, was directed by him to the Upper Mississippi for the purpose of sketching the topography of a district in that quarter, upon which a contest with the Indians was then apprehended. The next thing the General heard of his Engineer was, while he was anxiously expecting his report, through a newspaper notice in New-York, that the Major had sometime since established himself in that city, in obedience to an order from the War Department. Gen. Jackson (4th March, 1817) again appealed to Mr. Monroe (then President) on the subject, reiterated his former reasons against the irregularity, and deprecated with much earnestness its prevalence in his division when no emergencies of war existed to require it, and when his head quarters were at Nashville, a point of convenient distribution for orders directed by mail to the various military stations in the south and west. This communication, like the former, proving ineffectual, determined no longer to have more responsibility than power, he took measures to bring the subject before the government in a way that would admit of no further neglect. On the 22d April he issued a general order forbidding the officers of his division to obey any order from the War Department which did not pass through the office of his Adjutant General.—About two months after this, the President still declining any decision on the matter, and suffering it to fester by delay, an order was issued from the War Department to General Ripley, then in command at New Orleans, which, in compliance with Jackson's general order he did not obey. Finding one of his officers involved in difficulty by an act of military sub-

* See despatch from Mr. Monroe to Gen. J. of the 27th Sept. and from Gen. J. to Mr. M. of the 21th and 27th August.

ordination and fidelity, Jackson immediately assumed an attitude which none but a Martinet or an Attorney can fail to admire. In a letter to the President, (12th Aug. 1817) he referred to his former communications on this subject, and to the cases which had produced them—repeated the substance of his general order, and stated the dilemma of General Ripley, and with his characteristic spirit and honor thus relieved him from all responsibility. “This has given rise to the proper disobedience of Major Gen. Ripley to the order of the Department of War above alluded to, for which I hold myself responsible.” He adds—“In the view I took of this subject on the 4th of March, I had flattered myself you would coincide, and had hoped to receive your answer before a recurrence of a similar infringement of military rule rendered it necessary for me to call your attention thereto. None are infallible in their opinions, but it is nevertheless necessary that all should act agreeable to their convictions of right. My convictions in favour of the course I have pursued are strong, and should it become necessary, I will willingly meet a fair investigation before a military tribunal. The good of the service, and the dignity of the commission I hold, alone actuate me. My wishes for retirement have already been made known to you, but under existing circumstances, my duty to the officers of my division forbids it, until this subject is fairly understood.” The final decision when it came was, that orders to inferiors should pass through the commanding officer of the division, always thereafter, *unless in case of necessity*. Admitting the principle contended for by Jackson, and terminating a practice, which under the aspect of legal authority, was subversive of discipline, injurious to service, and repugnant to justice. It is true that by the Constitution the President is Commander in Chief of the army, and that by a custom almost equivalent to law, the orders of the Secretary are considered the orders of the President, and that among the illegitimate descendants of this custom, was the practice of confiding the power of the Department to Lieutenants of the line, whose enormous deviations from propriety, as in the order to Col. Sparks, brought it into question and disrepute. But the President is Commander in Chief, only in the same sense in which the General is commander of his division, has no stronger claim to the obedience of the General than the latter has to the obedience of the Colonel, and his orders, whether issued under his sign manual, or through the Secretary of War, or the imposing instrumentality of a subaltern, are to be restrained by the laws of Congress and the principles of the Constitution. No man will contend that his authority in the army is absolute—that he can of his own accord inflict capital punishment on a soldier—can make a lieutenant command a captain, a colonel a general, or exact duty from either without allowing him his proper rank. Now the essence of rank consists in the superiority of command which it confers, and any order of the President, making an inferior disobey the orders of his superior, is a derogation of the rank of that superior, and produces a disorder, the removal of which necessarily exposes to disturbance in a similar and equivalent degree, the authority of the President over the superior. The order to Col. Sparks required a direct and violent disobedience to Gen. Jackson’s command, as that to Major Long effected it. To have rendered these orders entirely legal and expedient, they should have been communicated through the commanding General. They would then have preserved the just equality between responsibility and power, which the nature of delegated authority requires. And instead of causing one act of obedience, and one of disobedience, they would have produced two acts of perfect obedience, through agents related in due subordination to each other.—The course pursued by the government moreover, involved the signal in-

justice of fixing *publicly* the proportion between Gen. Jackson's power and responsibility, upon which proportion, it must be presumed, he consented to assume the latter, and then *privately*, and without his knowledge reducing the former below that proportion, by a proceeding much in the nature of an *ex post facto* law. The silence and hesitation persevered in respecting his remonstrances, while they tended to produce an impression that the reasons he advanced were not disapproved, created a strong demand for the decisive measures he adopted, and the fact which is but too apparent that the irregularity he complained of was calculated, if continued, to disappoint the department, as well as the General, as it might be retorted by the latter in various perplexing ways, furnishes another strong objection to it. Its only excuse is a complete justification of it, where it can be shewn, and a marked condemnation of it, where it cannot be shewn, *viz. necessity*. To this fair adjustment and full redress, Gen. Jackson brought this abuse in the service, and for the spirit and judgment he displayed on that occasion alone, he deserves the gratitude of the army and the respect of his fellow citizens.

Having in a former number shewn to your readers that his military operations in Florida, were in direct obedience to the orders of the War Department, I shall not be detained by Mr. Johnson's repetition of that unfounded charge further than to advert to the clumsy dexterity with which he shifts his ground—at one moment inveighing against the General, for disobedience to the orders of the Department, and at the next reviling him for conduct in direct obedience to them. From this dilemma he cannot escape unless he can prove that the orders vesting General Jackson "with full powers to conduct the war in the manner he might think best"—authorizing him "to march across the Florida line and attack the Seminoles within its limits"—and requiring him to collect a force sufficient "to beat the enemy and terminate the conflict," did not justify his invasion of Florida, within the limits of which "the enemy" was situated; or his temporary occupation of the Spanish Posts, of which, in defiance of the stipulations of a treaty and the duties of a neutral, the Seminoles held either hostile control or military possessions. A disposition to avoid labor and repetition, suggests the propriety of a similar reference for a refutation of the charges grounded upon the *mis-called declaration of martial law*—an act of vigor and forecast, which in its origin and consequences was vindicated by urgent necessity, justified by powerful analogies, sanctioned by examples, and ratified by events; covering that city with glory and protection, endearing its performer to all who were willing to fight in its defence, and thrilling every patriotic heart in this Union with emotions of joy and triumph.

These offences against the law and the Constitution being disposed of, we come to those with which Mr. Johnson declares "mercy and humanity unite in accusing General Jackson." They stand in his catalogue in the following order:—"The cold-blooded massacre at the Horse Shoe"—"the decoyed and slaughtered Indians at St. Marks"—"the wanton and unexampled execution of Ambrister"—"and of the still more injured Arbutnot, a trader and an advocate for peace." With respect to "the cold blooded massacre at the Horse-Shoe," as no order for one was ever given by General Jackson, it is a calumny on the courage and humanity of his officers and men, who have added unfading laurels to those which they gained on that desperate day—many of whom, in their unrivalled campaigns, found honorable wounds or glorious death—and some of whom have filled and occupy the highest stations in the esteem and government of a grateful country. My business is confined to the correction of the more intentional injustice of the address, and therefore, after assuring the

reader that there is no foundation whatever in truth or in history for such a charge, I shall do no more than submit this inexcusable misrepresentation to that sort of destruction which the testimony of a witness undergoes, when it is proved, that in order to establish a certain point of interest, he has made solemn declarations, which had no foundation in fact, and could have none in his own knowledge. General Carroll, the late Governor of Tennessee, and a distinguished disciple of General Jackson in war, whose rank and presence in this action, gave him a minute acquaintance with its features, upon reading Mr. Johnson's address, furnished the following statement :—" I have seen the address of the anti-Jackson Convention of Virginia, in which General Jackson is charged with the cold blooded massacre of the Indians at the Horse Shoe. During the whole of the Creek war, I served as Inspector General of the Army—was present at the battle of the Horse Shoe, and can say, of my own personal knowledge, that the charge is wholly destitute of foundation. Towards the close of the action, after the breast-works had been taken by assault, a number of Indians took refuge under a quantity of brush and logs. General Jackson advanced within a short distance of the place of their concealment, and directed his interpreter, George Mayfield, to assure them, that if they would surrender, that they should be treated with the greatest humanity. They answered the proposition by firing upon and wounding Mayfield severely in the shoulder. A similar proposition was also made by Jim Fife, or old Chinneebee, and the fire of the Indians was the only reply it received. After a number of our men were killed and wounded by those Indians, and after they had twice refused to surrender upon any terms, the brush was set on fire, and but few of them escaped death. The prisoners taken on that day, including a large number of women and children, were humanely treated by General Jackson. I have made the above statement in justice to General Jackson, and the brave men who fought the battle of the Horse Shoe."*

The testimony of numerous eye witnesses might be added to this statement, but no multiplication of certificates could render it more respectable, or more completely effect the explosion of this " cold-blooded " slander. The reader must be struck with the emphatic, yet forbearing tone in which it is expressed, proving that although the writer was sensible of the injustice of Mr. Johnson's reflection on himself, he was not at all moved by it.

But perhaps it is intended to impress the public mind with the belief, that dislodging those desperate Indians who rejected quarter and prolonged the battle after resistance was vain, was of itself a " cold blooded massacre." Are then, the enemies of the United States, when waging a savage unsparing war, to requite with wounds and death our offers of humanity and protection, and yet be saved from death or retaliation? Are our commanders to begin an action—overpower by great effort the main force of the enemy, and then abandon the field and the victory to a few desperadoes? General Jackson's duty to his country and his government, compelled him, if in his power, to defeat the enemy; and that operation necessarily involves the destruction of every adversary who refuses to yield. Had the desperate party at the Horse Shoe, been a detachment of Bonaparte's Imperial Guard, the veterans of fifty pitched battles, and commanded by Ney or Soult, they must have suffered the fate of the Indians—as a garrison which refuses a summons, may by the laws of war, be blown into the air. But who were these determined and deluded savages? The

* Ramsay's History, continued, published in 1818, gives an account similar to this of Gen. Carroll's, v. 3. p. 162.

same who, when the sudden hostility of their nation rose like an inundation on the settlements of Alabama, herding hundreds of women and children into Fort Mimms, broke into that asylum with treachery, fire and murder. Who followed to that feast of butchery, where quarter was neither offered nor allowed, the volcanic voice of Weatherford; and as it rose above the shouts of fury and the shrieks of despair, breathing inextinguishable rage and demanding relentless slaughter, obeyed its ferocious summons until but 17 out of 300 of our unarmed citizens were left alive. They were the same men who, under cover of a truce granted for their benefit by General Jackson, had entrapped and slaughtered the son of Chinnibee—the Massanissa of the Creeks—the friend and the ally of the American people.* These are the beings, whose self-provoked destruction in a fair and hard-fought action† the people of Virginia are advised to consider, in order to vilify a faithful officer, a “cold-blooded massacre!”

The charges “of the decoyed and slaughtered Indians at St. Marks,” is next in order and equal in truth. Its subject is indissolubly connected with the crimes and fate of Arbuthnot and Ambrister, and blends itself intimately with the operations of Jackson in Florida. But the scene of these transactions was so remote and obscure—covered by untravelled wildernesses, unmeasured swamps, and undefined jurisdictions—the characters upon which they operated so notorious and yet so unknown, their allegiance so diversified, and their motives so various, that the attention even of a fair inquirer is often bedimmed and confounded in their study, as the strongest eye is mocked in pursuing the ever-changing reflection from agitated water. In their present state of indigestion, they form a mass of rubbish, behind which every scribbler who chooses to revile Jackson and hopes to delude the public, entrenches himself. I confess it was with astonishment, something like that which the reader of *Tom Jones* experiences on finding the philosopher Square meditating on the fitness of things behind Molly Seagrim’s blanket, I discovered C. Johnson ensconced within it. And it is less to expose him, than to prevent the leader of any future conventiellers, who may put their heads and their haunches together for the purpose of hatching public misrepresentations, that I invoke the patience of the reader’s attention to the following details.

* Chinnibee was the Chief of the Natchez tribe. A few days before the battle of the Horse Shoe, a party of the hostile Creeks communicated to him their wish to submit to General Jackson, and join the friendly Creeks. For this purpose Chinnibee interceded, and pledged himself as a hostage for their fidelity. They accordingly came into his fort, where they were received as friends. In the course of a few days, they mentioned that they had corn and some other provisions secreted in the neighboring hills, and asked for permission and assistance to convey it to the fort. Chinnibee furnished them his horses, and sent with them his youngest son. After getting about fifteen miles from the fort they turned upon young Chinnibee, and murdered him with the indecency and cruelty peculiar to savages—carried off the horses—joined the hostile Creeks, and were engaged in the battle. To the honor of the noble father of this unfortunate son, it must be added that after the action had commenced, Capt. Gordon, who commanded the spies discovered, just as the order for storming the Indian breast work was about to be given, that the women and children who were within the works, might be saved by the intervention of Chinnibee, and would otherwise be destroyed in a successful assault. He communicated this to General Jackson, who suspended the order, although his men were suffering from the fire of the Indians, both those prepared to make the assault, and those who were swimming the river to support it, and desired old Chinnibee to endeavor to get the women and children to a place of safety. Although his son had been murdered so cruelly, with a humanity truly christian, this old man mounted the breast work at the hazard of his life, and calling to the women, told them he was ready to save them and their children. They hastened towards him, he sprang into the fort, and the poor creatures clinging to his hunting shirt and clustering around him like a swarm of bees, were brought out of the fort and saved from destruction. The General then gave the order to storm, the works were carried, the enemy destroyed, and the victory gained. Does this look like a cold-blooded massacre? And yet fifty witnesses will confirm it if Mr. Johnson is incredulous.

† The loss of the Americans in this action, was 55 killed and 146 wounded. Among the former were Major Montgomery, of the regular army, an officer of great promise, and Lieutenants Moulton and Somerville. Among the latter, the present General^s Carroll and Houston, the late and the present Governor of Tennessee.

The *dramatis personæ* engaged in the catastrophe which Jackson is accused of producing were—Lieut. Colonel Nichols, of the British artillery—Woodbine an English adventurer of fine address and desperate morals, trainer of hostile Indians, with the title if not the rank of Captain,* and in that respect, adjunct and successor of Nichols—Arbuthnot, a Scotchman, who had left his wife in Europe, married a colored one in the West Indies, and with a son by the former one taken a trading position, in Florida, got himself elected Chief of the Indians at war with the United States, and as such as had sanctioned the butchery of Lieut. Scott and his party—Ambrister, a half officer and half buccaneer, who, with the commission of “auxiliary lieutenant of colonial marines,” given by Admiral Cochrane during the war with his country, was taken three years after the peace, leading the Indians and fugitive negroes in battle against the troops of the United States. Hambly and Doyle, subjects of Spain, agents of a commercial firm in Pensacola, driving the Indian trade in an establishment on the Apalachicola, and favorers of peace—Cook, clerk to Arbuthnot, also in favor of peace—Francis or Tillis Hadgo, Chief of the prophets of the Creek Nation, appointed by Tecumseh in his insurrectional visit to the Southern tribes in the fall of 1812, an inveterate enemy of the United States, had refused to unite with his countrymen in the capitulation of Fort Jackson, abandoned his country and at the head of the outlawed Redsticks, had taken refuge and protection with the Seminoles in Florida, instigated them to rapine and murder, and witnessed and encouraged the massacre of Lieutenant Scott and his party—Hemithlimaco, a Redstick Chief the principle warrior of the prophet, and principle perpetrator of that massacre.†

The motives and liabilities of these men were as various as their names and nations. The motive of Nichols was success in his profession and service to his country, stained with the design of debasing the chivalry of war, by the employment of savage associates. To this Woodbine added, and in a predominating degree, the infamous desire of plunder and profit. Lucre was the sole object of Arbuthnot, and his means for procuring it, were sagacious and unscrupulous—proposing to acquire an influence over all the surrounding Indian tribes, by means of it to disturb their existing relations with their civilized neighbors, both as to territory and trade, and to engross the entire profits of the latter. A mixed and unprincipled thirst for gain and for fame, seems to have actuated Ambrister. Interest, which incited Arbuthnot and Ambrister to produce confusion, made Hambly and Doyle anxious to preserve peace. Cook was engaged to be married to a girl in New Providence, felt therefore an inordinate attachment to life, and little disposition to run the hazards of his employer, Arbuthnot. The “self exiled” Prophet, loving his country less than he hated her enemies, was filled with revenge for the disasters of the Creek war, for the loss of influences which they had occasioned him, for the severities which his refusal to submit to the capitulation‡ of Fort Jackson had occasioned

* Latour, page 37.

† The Redsticks were a powerful tribe of the Creek Indians, whose national standard was a red pole decorated with human scalps.

“Besmeared with blood,
“Of human sacrifice, and parent's tears.”

Their possessions once reached from the Alabama to the Mississippi, and one of their principle villages was on the latter river, where Baton Rouge (Red Staff) now stands. The “outlawed Redsticks” were that portion of this tribe who, refusing to abide by the capitulation of Fort Jackson, were outlawed by the Creeks.

‡ The agreement commonly called the *treaty* of Fort Jackson, was in reality, a *military capitulation*, so designated and prescribed by the government. In a letter from the War department, of the 20th March, 1814, first addressed to Gen. Pinckney and then communicated to Gen. Jackson, it is said—“since the date of my last letter, it has occurred to me that the pro-

him and for the "exemplary punishment" denounced against him by the order of the Secretary of War, (16th Jan. 1818) which was committed for execution to Gen. Jackson. He was further stimulated by the pride of character which a late visit to England, and a flattering reception from the Prince Regent had inspired, and by the hope of reviving the hostile spirit of the Creeks and regaining his former influence and possessions. With a hatred to the United States equally passionate and fierce, Himithlimaco was infuriated by a natural thirst of carnage, superstitions, reverence for the prophetic dignity of Francis, and habitual eagerness to execute his most brutal purposes.

The agency of these individuals, impelling, moderating or counteracting each other, and deriving more or less encouragement and aid from the Spanish authorities, had kept up a state of hesitating war, but unremitting robbery and bloodshed on our southern frontier, ever since the termination of the Creek war, in August 1814. In its least offensive but most dangerous form, it was repelled by General Jackson, when he dislodged the British armament from Pensacola, in November of that year. It is the business of History to record how, with more than mother's care, a patriot's fire, and a statesman's foresight, on the first intelligence of its appearance there, he flew unordered to the protection of Mobile, and fortified and garrisoned Fort Bowyer. How, while he awakened by despatches, the vigilance of the cabinet, just composed after the capture of Wasington—he roused the patriotism of the people, and calling on Coffee and his volunteers with a voice in which they heard the triumph of Fame, he forced the British to abandon Pensacola, and the Spaniards to maintain their neutrality. How, after securing the left flank of his extensive line of defence, penetrable by rivers, and accessible by bays, he passed with incredible expedition, to the banks of the Mississippi, with little other aid from the government than *stale intelligence and diplomatic directions** with arms, flints and money, collected by himself, with raw, unfurnished and inferior forces, he vanquished both in attack and defence, the most formidable veterans of Europe, and surpassed in skill and courtesy, her renowned and accomplished Generals. Since the peace with England these lawless disturbances had been continued by forays of rapine and murder, principally on the southern borders of Georgia, which, after some movements of troops, many *talks* with the Indians, and much diplomacy with Spain, were

posed treaty with the Creeks should take a form *altogether military*, and should be in the nature of a *capitulation*." Under this and similar orders, the *capitulation* was concluded. And yet Mr. Clay, in his speech (Jan. 18th, 1819,) on the Seminole war, attaches blame to Gen. Jackson for "the dictatorial terms" of this *treaty*, as he calls it. So that then as now, if General Jackson executed the orders of the government he was censured, and if he only appeared to transcend them, abused.

* The first intelligence which General Jackson received from the government of the projected attack on New Orleans, was in a letter from Mr. Monroe, (then Secretary of war) of the 7th Sept. 1814. But as early as the 10th Aug. he had despatched by express the same intelligence in a corroborated form to the Department, the receipt of which, and of four other despatches of that month, are acknowledged by Mr. Munroe on the 27th Sept. In the letter of the 7th, General Jackson is emphatically told, "you should repair to New-Orleans as soon as your arrangements can be completed in the other parts of the district, *unless your presence should be required at other points*." In a letter of the 10th December, he is told in a spirit quite prophetic, considering he had no efficient supplies from the Department, that by taking a suitable position in the vicinity of New Orleans, he will be enabled "to overhelm the enemy whenever he presents himself," and this without the Secretary's having any definite knowledge of Jackson's strength or giving any information of the enemy's. But suppose the enemy had got possession of Mobile which the same letter describes as of little importance, "comparatively a trifling object with the British government" and which nothing but Jackson's bold expulsion of them from Pensacola, and persevering maintenance, in spite of the order for the officers of the 2d regiment to go out the recruiting service [of a garrison at Fort Bowyer,] prevented—their 14,000 men might have been passed up the Tombecbee, re-kindling the Indian war all the way and in four days march from the highest navigation of that river, have reached the Mississippi at the Chickasaw Bluffs, cutting off New Orleans from supplies and support, ensuring both to themselves, and then New Orleans must have fallen without a blow.

persevered in until the Fall of 1817—murder and military execution were committed on our unsuspecting soldiers and helpless women and children. Public opinion now appealed to the government, and the government to General Jackson. He took the field, and with that unerring aim of judgment and courage, which, like the noble instinct of the mastiff, springs right at the heart, he penetrated and destroyed the sources of this cruel and infamous war, with the utmost possible expedition and the least practicable bloodshed. Without provisions, and with a force of only 1000 raw militia and Indians, to whom too, he was a stranger, he entered Florida, built Fort Gadsden, routed the Indians at Micasuky, found in their village near 300 old scalps, and on the prophet's red pole, 50 fresh ones, most of them recognized by the hair to have belonged to the unfortunate party of Lieut. Scott. Here ascertaining from the prisoners that a part of the enemy had fled to St. Marks, and also ascertaining the criminal complicity of the commandant, he formed a determination to prevent any further abuse of Spanish neutrality and American rights, and took possession of that fortress—where he found “the advocate for peace,” Arbuthnot, who with the innocent and vacant look, peculiar to his countrymen, when they meditate shrewd and dangerous designs,* sat an unconcerned guest at the table of the commandant. From St. Marks, discovering that the remnant of the routed Indians and negroes had retreated down the west coast of East Florida, in the direction of Woodbine's grand depot of Virginia and Georgia runaway slaves, he pursued and overtook them near the Econfinnah swamp, where some were killed, many taken, and the only woman who escaped death from the murderers of Lieut. Scott, recaptured. The enemy retreating to the Snawney were not allowed time to renew their strength or courage, but were again attacked and routed with such loss and dispersion, that the victors hoped they had finished the war.

On this occasion Ambrister was made prisoner. The army returned to St. Marks, where the General having received information from the Governor of Alabama, that a large body of hostile Indians who had been committing fresh murders on the Alabama, were assembling near Pensacola, and were there freely admitted and constantly furnished with means of subsistence and war, he determined to cut off this last head of the Hydra—to supply any defect of will or power that might exist on the part of the Governor to observe his neutrality, and to occupy that place for a time also. Marching by the Ocheesee Bluffs, he was confirmed in his intention by finding the navigation of the Escambia occluded to his supplies. He therefore proceeded, and entering Pensacola on the 24th of May, he took Fort Barrancas on the 27th—having in his short campaign of three months, and with an undisciplined force, varying from one to two thousand, overrun a country larger than Italy—forced a Parthian enemy three times to action, and though once inferior in numbers, thrice defeated him; without any materials for a military bridge, having passed rivers as large and as deep as the Po or the Adige—without other subsistence frequently than acorns, raw hides and water, having marched more than 800 miles; with scarce any artillery, having taken by force or intimidation three fortresses, and with little more than the energies of his own great mind terminated forever this savage, servile and piratical war. It was a subject of glory to Pompey the Great, that after having worsted Sertorions, he should agree to conduct the war against the Pirates. When General Jackson undertook the Seminole War, he had defeated the best troops, and among the finest Generals of Europe, and terminated the most glorious campaign of the age. Yet he is found as ardent and persevering against these hordes of savages

*Junius to Lord Mansfield. Scott, *passim*.

and slaves, as sincerely devoted to the country as any young aspirant for fame, little dreaming that in the bosom of that country, ingratitude was to hatch a brood of Vampires! During these operations, it happened that the Prophet Francis and his instrument Kenhagee, king of the Mississukian, in whose town the 350 scalps were found, had after the murder of Lieut. Scott and his party seized Hambly and Doyle, at the instigation of Arbuthnot, under whose authority as chief, and that of Francis they were tried in council and sentenced to be tortured to death, for their friendship to the United States. From this wretched fate they were rescued by the spirited interference of a negro, *Nero*, the commander of 60 other negroes in the service of the hostile Chief Bowlegs, and were by his agency conveyed, as prisoners of Arbuthnot, and his Indians to St. Marks, for safe keeping. Here they were received by the commandant as prisoners, and here they saw numerous evidences of the participation of the Spanish authorities in the Seminole war, but escaping in a canoe, they were taken up by Lieut. M'Keever, of the United States' Navy, in the adjacent Bay. With a sort of dramatic coincidence, it came to pass that the thirst for blood having risen in the breast of the prophet and his warrior Himithlimaco, they soon repented the rescue of Hambly and Doyle, and came to St. Marks in quest of them, just after they had made their escape. With the ferocious perseverance of wolves they pursued their flight along the coast, hoping that weather or weariness would force them ashore, and soon descried a vessel at anchor, with British colours flying at the mast head.—After some reconnoitering they went aboard, were conducted into the cabin where they found Hambly and Doyle, who immediately indentifying them as the murderers of Lieut. Scott and his party, and their own captors and tormentors, they were put in irons by Lieut. M'Keever. These circumstances being all made known to Gen. Jackson, by a mass of proof and undisputed notoriety, in conformity with the order of the Secretary of War “to inflict exemplary punishment on the authors of the atrocities”—committed on Lieut. Scott's party, and Mrs. Garrett's family, he had them hung, in accordance with the principles of the law of Nations, and in obedience to the dictates of humanity, which their atrocities had outraged, and to which the terror and example of their fate was a just sacrifice, and proved a salutary propitiation.

The reader will see that the only decoying was practiced by Lt. M'Keever, and before he can agree to censure that, it must be shewn that our naval officers had no right to use such stratagems as the officers of other nations practice, although the colours of all nations are furnished them for this express purpose; and it must be farther shown that it was the duty of Gen. Jackson to see that Lt. M'Keever should dress and manage his ship exactly to the taste of Mr. Johnson. These Indians were taken by stratagem and surprise as Andre was, and like that unfortunate officer, who never violated a feeling of humanity, they were “slaughtered”—that is, they were hung. In this punishment, as justice, humanity, and the law of nations were satisfied, it is to be observed that they being out of the United States, our own laws were not concerned. Had they been brought within our limits all their crimes must have gone unpunished—for they had not violated our municipal, or maritime, or martial laws.—But the law of nations vests the right of retaliation in the commanding general, and the imbecility or dishonour of the Spanish authorities having justified the assertion of our belligerent rights, it was the duty of Gen. Jackson to fulfil the instructions of his government and bring these murderers to punishment.*

*Although the feeling, and common sense of every man must convince him that the death of the prophet and Himithlimaco was due to humanity and justice, yet it may be proper to

Let us now come to the case of Arbuthnot. From the recaptured American woman, who was the sole remaining survivor of Lieutenant Scott's party—from Cook his Clerk—from Phenix his acquaintance—from letters and papers found in a vessel of his, captured in the mouth of the Shawney, and others obtained from the Indians by our agent, it was proved incontestibly that "this advocate for peace," by misrepresenting the terms of the Treaty of Ghent—the conduct of the American, and the intentions of the British government, had incited, in time of peace, the Seminole Indians to hostilities against the United States. That to aid those hostilities, he had applied in behalf of the Indians, to various functionaries of Britain for supplies, and to disguise them for protection—That he had furnished them with intelligence and ammunition for military purposes, and had given them advice and orders in the management of the war. That he had directed the seizure and presided at the condemnation of Hamblly and Doyle in consequence of their being "the advocates for peace" with the United States. That he had instigated and countenanced the massacre of Lt. Scott and his party, consisting of about 40 American citizens. That as an Indian Chief, he had permitted our gallant officers to be assassinated, our brave soldiers to be butchered, and their helpless wives to be murdered, or with more horrible cruelty spared to see their infants "taken by the heels and their brains dashed out against the sides of the boat."* And that when one of the two women who had been spared (the wife of an American serjeant) was from pregnancy no longer able to keep up with the march of her captors, this "advocate for peace" ordered her to be put to death, and that accordingly she was bayoneted through the womb! From the same and other sources of proof it was demonstrated that Ambrister had not only instigated the Indians to war, against the United States, but had actually joined them with a party of runaway negroes and led them in battle—having used his commission as a British officer (a nation with which we were at peace) to promote his pernicious influence among them, and having endeavoured by force to convert a Spanish fortress into a place of savage hostility against the United States.

These are the men whose crimes had destroyed so many innocent lives, for the sake of Otter skins and runaway slaves, and whose punishment is lamented with such dignified sorrow by Mr. Johnson, for the sake of Messrs. Adams and Clay. The evidence against them satisfied a court of gallant and intelligent officers of their guilt—satisfied the representatives and the government of the nation—and convinced the Courts of Spain and of England of the justice of their punishment. And yet because it is too voluminous and intricate to be readily examined,† Mr. Johnson found

fortify that well founded decision by respectable authority. Vattel says (520, 34) "When we are at war with a nation which observes no rules and grants no quarter, they may be chastised in the persons of those of them who may be taken. They are of the number of the guilty, and by this rigor the attempt may be made of bringing them to a sense of the laws of humanity." The prophet and Hinnithimaco were not only "among the guilty," but the leaders of the guilty.

* Vide in the documents hereafter specified, Cook's letter, and the account obtained from the recaptured woman.

† For the evidence in these cases, see documents (35) accompanying the President's message of the 2d December, 1818, and those (65) accompanying that of the 28th Dec following, particularly the letter from Gen. Gaines of the 2d December, 1817, with its enclosures that from Gen. Jackson, of the 8th April, 1818, and the report of Col. Butler of the 3d May, in the first set. In the second. Nos. 45, 46 and 61, with the deposition of Lieut. M'Keever and the testimony of Phenix and Cook before the Court are chiefly apposite. In addition to the authority already produced for their execution, and in illustration of the principle that must have satisfied the foreign governments on the subject; the following reference is made to Vattel, (520 c. 29.) "We may refuse to spare the life of an enemy who has surrendered, when the enemy has been guilty (a fortiori when he himself has) of some enormous breach

upon it imputations which with the rancourous, have the retributive property of injustice, and though aimed at the reputation of another, will only affect his own. There is one thing that ought to be mentioned as remarkable both in his ire and his grief—namely, his solemn affirmation that Arbuthnot who was hung, was “more injured” than Ambrister, who was only shot—being convinced, as if from experience, that death by hanging, is worse than death by shooting.

When a writer has clearly established his title to disbelief, it cannot be necessary to oppose a formal refutation to each of his misstatements, especially if, as in the case of Mr. Johnson, his errors have been exposed before. It appears that in the list of unfounded charges contained in the address, are two which had escaped my notice. They relate to the six militia men, and to the alledged usurpation of power to appoint militia-officers. The first of these charges is now before the House of Representatives, and as its determination by that body will not only have the authority of truth but of the nation, I shall not enter on the easy task of refuting it. The second was long ago demolished by the memorial of Gen. Jackson which was presented to the Senate on the 6th of March, 1820, and which convinced Mr. Jefferson of his “salutary energy” in the prosecution of the Seminole War. It will be enough to refer the reader to that document, and particularly to the deposition of Col. Hayne and to the letter of Cols. Dyer and Williamson, in its appendix for proof that the charge is absolutely and totally false. Would it were in my power to convince him that Mr. Johnson does not know it to be so.

Having thus completed the exposure of this laboured attempt to degrade a great citizen and delude a great state, it remains to look at the character and condition of the body of which it purports to be the offspring. In individual character it is enviable, in numbers respectable, but in popular influence and constitution, meagre and scant. Like a dying peach tree, it has all leaves and no fruit. It appears to be more numerous than the House of Delegates, the broadest representation known in the state, and yet, consisting as it does of detached and discontented politicians, its constituents would hardly form a brigade of militia—and they would be all against any thing *military*. It is, in truth, a “most forcible feeble,”—and the address is the most enterprising experiment on record for propelling falsehood by the force of authority. Of this experiment, it is but justice to say, Mr. Johnson appears to be the organ, the manager, the *Mir*. But now that his torpid *torpedo* has exploded, what will he do with his corps of engineering judges, misguided by him into the defiles of dilemma and discredit? Will he *disband* them in the wilderness of fallacy and falsehood, far from their *sitting*, and as it would seem their *superior* parts, bruising their delicate shins or bumping their tender rotundities against the stubborn obstructions of fact, and the bold projections of argument, straggling and scrambling to make their way back to privacy and privilege without steam-boats and without mileage.* In opposition to

of the laws of nations, and particularly when he has violated the laws of war.” Arbuthnot and Ambrister had violated the laws of peace and war, of God and man—and to have treated them like ordinary prisoners of war would have been encouragement. Vattel (321) says, “retaliation may be exercised even on the innocent,” a principle on which Gen. Washington acted in the case of Sir Charles Asgill, (Marshall 3d, 391.) and that “when your army is out of your own territory the right of retaliation is in the Commanding General, and he has the right of sacrificing the lives of the enemy to his own safety or that of his people, if he has to contend with an inhuman enemy, and to treat him as his own people have been treated.— See also the details in the House of Lords, 11th May, 1819.

* Some few years ago, a brace of these administration judges took a fancy to travel in steam-boats. One of them embarked high up on the Leticia, and having coasted an immense peninsula, landed in Richmond. The other took water on some of the Western rivers, and

orders from Washington, he can never dare to "divulge their draggletailed show" in a regular retreat, as that might "offer an indignity to the Secretary of War," and produce his own dismissal from service. The chaplain of the expedition too, the "oily man of God," what will become of his reverence? But this is a subject too serious for ridicule, too awful even for pleasantry. The God of Moses from Sinai's fiery top has said, "thou shalt not bare false witness against thy neighbour," and the Redeemer of Mankind, the Lord of meekness and compassion, denounces punishment on "evil speaking," and says for every malicious word a man shall utter, "he shall give an account at the day of judgment!" For that account let the reverend gentleman prepare.

In respect to Mr. Johnson it can hardly be said that modesty or eloquence is pre-eminent among his political virtues, or that his professional ability is likely to be decreased by infusions of talent into his general writings. Of him it will never be said—

"How sweet an Ovid was in Murray lost."

Acknowledging in his letter of adhesion, strong distrust and disapprobation of Mr. Adams, he yet insists that it is "ineffably stupid" in the people of Virginia, the most alert and spiritual devotees of liberty in the civilized world, not to postpone their decided favourite to the object of his public dis-esteem. Nor is he entitled to the praise of invention; for, after labouring lustily in the field of fiction, he furnishes his party with nothing original. While all his charges are false, not one of them is new; and though all his inferences are fallacious, most of them are trite. An indelicate memory furnishes his premises, and an immoderate presumption regulates his conclusions. Insensible to the grandeur of the character he traduces, he seems forgetful of the intelligence of the people to whom he appeals. But it is strange that an individual so inconsiderate of others should not have more respect for himself. He does not appear to consider that by repeating, he adopts these stories—partakes of the disgraceful motion of the scandal, and marked as "the tenth transmitter" of falsehood, descends with the progress of an impenitent sinner, who sinks in infamy as he advances in age.

If these remarks should appear intolerant, it must be remembered that the re-action of injustice is proportioned to its violence; and if long, that for the poison of concentrated slander, the most effectual antidote is expanded truth.

JEFFERSON.

made his way to the Treasury either by Wheeling or New Orleans. In imitation of Mr. Adams they charged *constructive mileage*, when their legal mileage was on the direct ordinary route. The charge of one was thrice the amount of his just claim, that of the other about five times. The legislature made them disgorge, although Mr. A. lay had sanctioned the doctrine, in allowances, when Speaker, to his western friends. The matter occasioned some anger and much fun in Virginia, all at the expense of the steam-boat judges.

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